

## **CITY COUNCIL - PRE-MEETING 6:30 P.M. TO 7:00 P.M.**

Natchitoches City Council will have a pre-council meeting beginning at 6:30 p.m. and ending at 7:00 p.m. to discuss any non-agenda items. The City Council meeting will begin promptly at 7:00 p.m. on the second and fourth Monday of each month and will be reserved to only items on the Agenda. The public is invited to both the pre-council meetings and council meetings with the understanding that items not on the agenda will not be discussed at the scheduled council meetings, but the public is welcome to discuss any topic at the pre-council meetings.

### **NATCHITOCHES CITY COUNCIL MEETING**

**APRIL 25, 2011**

**7:00 P.M.**

### **A G E N D A**

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **READING AND APPROVAL OF THE MINUTES OF APRIL 11, 2011**
5. **SPECIAL GUEST:**                      **MISS LOUISIANA NATIONAL TEENAGER - Courtney Rachal (Sylvia Morrow)**
6. **PROCLAMATION:**  
    **#026    McCain**                      **RELAY FOR LIFE OF NATCHITOCHES – Lindsay Maggio**
7. **BIDS- CHANGE ORDER:**  
    **#027    Nielsen**                      Resolution Authorizing The Mayor To Execute Change Order No. 1 To The Sewer System Improvements, Contract 1, Gravity Sewer Replacement Near Louisiana Highway One By-Pass (Bid No. 0494)
8. **BIDS – OPEN:**  
    **#028    Mims**                      Resolution Authorizing The Mayor To Open The Bids For The Purchase Of A Power Plant Substation Switchgear And Control House (Bid No. 0510)
9. **ORDINANCES – INTRODUCTION:**  
    **#023    Payne**                      Ordinance Authorizing The Mayor Of The City Of Natchitoches, Louisiana, To Enter Into An Agreement With Janith C. Frederick And Emilyn M. Horton, Providing For Improvements To Allow Rerouting Of Freight Deliveries In Order To Remove Encumbrance On Property To Be Delivered For Construction Of A Hotel  
  
    **#024    Morrow**                      Ordinance Authorizing The Mayor Of The City Of Natchitoches, Louisiana, To Enter Into An Agreement With Nowlin & Lemoine, L.L.C., Providing For Improvements To Allow Rerouting Of Freight Deliveries In Order To Remove Encumbrance On Property To Be Delivered For Construction Of A Hotel  
  
    **#025    McCain**                      Ordinance Levying An Additional Hotel Occupancy Tax Of Two Percent (2.00%) In The Natchitoches Economic Development District A, State Of Louisiana (The "District"); Designating The Full Amount Of Such Additional Hotel Occupancy Tax As The Hotel Occupancy Tax Increments In The District From Which The Hotel Occupancy Tax Increments Will Be Determined And Used To Finance Economic Development Projects In Accordance With And As Authorized By Part II, Chapter 27, Title 33 Of The Louisiana Revised Statutes Of 1950, As Amended; Designating The Initial Annual Baseline Collection Rate And Establishing A Monthly Baseline Collection Rate For The District; Pledging And Dedicating Such Tax Increments To Reimburse Economic Development Costs, And Providing For Other Matters In Connection With The Foregoing

**#026 Mims** An Ordinance Levying An Additional Hotel Occupancy Tax Of Two Percent (2.00%) In The Natchitoches Economic Development District B, State Of Louisiana (The "District"); Designating The Full Amount Of Such Additional Hotel Occupancy Tax As The Hotel Occupancy Tax Increments In The District From Which The Hotel Occupancy Tax Increments Will Be Determined And Used To Finance Economic Development Projects In Accordance With And As Authorized By Part II, Chapter 27, Title 33 Of The Louisiana Revised Statutes Of 1950, As Amended; Designating The Initial Annual Baseline Collection Rate And Establishing A Monthly Baseline Collection Rate For The District; Pledging And Dedicating Such Tax Increments To Reimburse Economic Development Costs, And Providing For Other Matters In Connection With The Foregoing.

**#027 Nielsen** An Ordinance Levying An Additional Hotel Occupancy Tax Of Two Percent (2.00%) In The Natchitoches Economic Development District C, State Of Louisiana (The "District"); Designating The Full Amount Of Such Additional Hotel Occupancy Tax As The Hotel Occupancy Tax Increments In The District From Which The Hotel Occupancy Tax Increments Will Be Determined And Used To Finance Economic Development Projects In Accordance With And As Authorized By Part II, Chapter 27, Title 33 Of The Louisiana Revised Statutes Of 1950, As Amended; Designating The Initial Annual Baseline Collection Rate And Establishing A Monthly Baseline Collection Rate For The District; Pledging And Dedicating Such Tax Increments To Reimburse Economic Development Costs, And Providing For Other Matters In Connection With The Foregoing

10. **ORDINANCES – FINAL:**

**#018 Morrow** Ordinance Authorizing The City To Sell 6 Diesel Units Located In The Diesel Plant Building Located At The City Of Natchitoches Power Plant To B. Jones, Setting The Terms And Conditions Of Same, And Authorizing The Execution Of The Act Of Sale By The Mayor, Wayne McCullen, After Due Compliance With The Law, And Further Providing For Advertising Of The Sale And An Effective Date

**#019 Payne** Ordinance Adopting The Budget For The City Of Natchitoches For The Fiscal Year June 1, 2011 Through May 31, 2012

**#020 McCain** Ordinance Authorizing The Mayor Of The City Of Natchitoches, Wayne McCullen, To Execute A Cash Sale Deed For The Purchase Of A 3,609 Square Foot Tract Located On The East Side Of Second Street, City Of Natchitoches, From City Bank & Trust Company For The Consideration Of Twenty-Five Thousand, Five Hundred Forty Five Dollars and No/100, To Provide For Advertising, And A Savings Clause

**#021 Nielsen** Ordinance To Amend And Reenact Sections 31-43 And 31-44 Of Chapter 31 Of The Code Of Ordinances, Entitled Vehicles For Hire Said Amendment Being Made To Amend And Update The Code Of Ordinances To Provide For A Flat Rate For The Hire Of Taxicabs In The City Of Natchitoches, Louisiana, Providing For Advertising, Further Providing For Severability, And Further Providing For A Repealer And Effective Date Of Ordinance

**#022 Mims** Ordinance Authorizing The Mayor Of The City Of Natchitoches, Louisiana, Wayne McCullen, To Enter Into And Execute An Easement And Servitude Over And Across The Property Of City Bank & Trust Company Located In The Block Bounded By Second Street, Horn Street, Lafayette Street, And Ducournau Street Setting The Consideration, And Other Terms, Providing For Advertising, Further Providing For Severability, And Further Providing For A Repealer And Effective Date Of Ordinance

11. **RESOLUTIONS:**

**#029 McCain**

A Resolution Authorizing The Publication Of A Notice Of Intention To Levy An Additional Two Percent (2.00%) Hotel Occupancy Tax Within The Confines Of The Natchitoches Economic Development District A For The Purpose Of Financing Economic Development Projects Under The Authority Of Part II Of Chapter 27 Of Title 33 Of The Louisiana Revised Statutes Of 1950, As Amended (La. R.S. 33:9038.31 *Et Seq.*); And Providing For Other Matters In Connection Therewith.

**#030 Nielsen**

A Resolution Authorizing The Publication Of A Notice Of Intention To Levy An Additional Two Percent (2.00%) Hotel Occupancy Tax Within The Confines Of The Natchitoches Economic Development District B For The Purpose Of Financing Economic Development Projects Under The Authority Of Part II Of Chapter 27 Of Title 33 Of The Louisiana Revised Statutes Of 1950, As Amended (La. R.S. 33:9038.31 *Et Seq.*); And Providing For Other Matters In Connection Therewith.

**#031 Mims**

A Resolution Authorizing The Publication Of A Notice Of Intention To Levy An Additional Two Percent (2.00%) Hotel Occupancy Tax Within The Confines Of The Natchitoches Economic Development District C For The Purpose Of Financing Economic Development Projects Under The Authority Of Part II Of Chapter 27 Of Title 33 Of The Louisiana Revised Statutes Of 1950, As Amended (La. R.S. 33:9038.31 *Et Seq.*); And Providing For Other Matters In Connection Therewith

**#032 Payne**

A Resolution Authorizing The Mayor Of The City Of Natchitoches, Wayne McCullen, To Negotiate Details Of A Incentive Package For The Hotel Developer And A Management Agreement For The Management Of The Natchitoches Events Center

12. **ANNOUNCEMENTS**

13. **ADJOURNMENT**

**NOTICE TO THE PUBLIC**

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office at (318) 352-2772 describing the assistance that is necessary.

If you wish to address the Council, please complete the "Request to Address City Council" form located on the entrance table.

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF NATCHITOCHES, STATE OF LOUISIANA,  
REGULAR MEETING HELD ON  
MONDAY, April 25, 2011, AT SEVEN O'CLOCK, (7:00) P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana on Monday, April 25, 2011, at 7:00 p.m.

There were present: Councilmen; Larry Payne, Dale Nielsen, Don Mims, Jr., Jack McCain and Councilwoman Sylvia Morrow

Absent: None

The Mayor asked everyone to remember the family of LeeLee Summerell who unexpectedly passed away.

The Mayor asked everyone to rise for the Invocation given by Mr. Michael Braxton, Director of Public Works, followed by the Pledge of Allegiance lead by Mr. McCain.

The Mayor then called for the reading and approval of the Minutes. Mr. McCain made a motion to dispense with the Reading of the Minutes and approval, and Ms. Morrow seconded the motion. The roll call vote was as follows:

AYES:	Payne, Nielsen, McCain, Morrow, Mims
NAYES:	None
ABSENT:	None

The Mayor introduced Miss Louisiana National Teenager, Courtney Rachal.

Ms. Morrow recognized Miss Courtney Rachal and presented her with a plaque from the City Council and City of Natchitoches.

Miss Courtney Rachal stated that the pageants she was in were scholarship pageants and she was very blessed and fortunate to be a part of them and hoped to be a great representative of Natchitoches and Louisiana when she travels to Miami in July to take part in the national pageant.

The following Resolution was Introduced by Mr. McCain and Seconded by Mr. Payne as follows, to-wit:

**RESOLUTION NO. 026 OF 2011**

**PROCLAMATION**

**RELAY FOR LIFE OF NATCHITOCHES**

**WHEREAS**, Relay For Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

**WHEREAS**, money raised during Relay For Life of Natchitoches supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays – by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

**WHEREAS**, Relay For Life helped fund more than \$150 million in cancer research last year;

**NOW, THEREFORE, BE IT RESOLVED**, that I, Wayne McCullen, Mayor of Natchitoches, do hereby proclaim the entire month of April 2011 as,

**"RELAY FOR LIFE, PAINT THE TOWN PURPLE DAYS"**

In Natchitoches and encourage citizens to participate in the Relay For Life fundraisers and the Relay for Life event at Northwestern State University's Tailgating Field on April 29<sup>th</sup> and 30<sup>th</sup> from 6:00pm-6:00am.

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES:** McCain, Payne, Nielsen, Mims, Morrow

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** None

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

Mr. McCain asked Ms. Lindsay Maggio to come forward to receive the proclamation.

Ms. Lindsay Maggio, community representative, stated that on behalf of the Relay for Life Committee and the American Cancer Society she was pleased to be at the council meeting and introduced Ms. Judy Rachal and encouraged everyone to go out and support Relay for Life.

The Mayor stated that that was a huge event and encouraged everyone to attend.

The following Resolution was Introduced by Mr. Nielsen and Seconded by Mr. Payne as follows, to-wit:

**RESOLUTION NO. 027 OF 2011**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
CHANGE ORDER NO. 1 TO THE SEWER SYSTEM IMPROVEMENTS,  
CONTRACT 1, GRAVITY SEWER REPLACEMENT NEAR  
LOUISIANA HIGHWAY ONE BY-PASS**

**(BID NO. 0494)**

**WHEREAS**, the City of Natchitoches awarded a contract to Rylee Contracting, Inc. by Ordinance No. 082 of 2009 on November 23, 2009 in the base bid amount of \$396,975.00 for the sewer system improvements-Contract 1, Gravity Sewer Replacement near Louisiana Highway One By-Pass Plant (Bid No. 0494); and,

**WHEREAS**, the Engineer, Norman Nassif of Nassif Engineering & Architecture, LLC, has recommended Change Order No. 1 dated April 4, 2011 reflecting an increase of \$35,265.00 in the contract amount and an additional 120 days to the contract time, as itemized in attached Change Order and Attachment to Change Order No. 1 ; and

**WHEREAS**, Nassif Engineering & Architecture, LLC, project Engineer, recommends approval of Change Order No. 1; and

**WHEREAS**, the City is of the opinion that Change Order No. 1 is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Natchitoches, in legal session convened, that the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to execute the referenced Change Order No. 1 to the agreement between the City and the Contractor.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>Nielsen, Payne, Mims, McCain, Morrow</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

CHANGE ORDER

Change Order No.: One (1)  
Change Order Date: April 4, 2011  
PROJECT: Sewer System Improvements - Contract 1  
Gravity Sewer Replacement Near La Highway 1 Bypass  
OWNER: City of Natchitoches  
CONTRACTOR: Rylee Contracting, Inc.

The Contract Documents are modified as follows upon execution of this Change Order:

Refer to Attachment for Change Order Number 1

Time extension required in order to process Change Order and to perform the work. Revised Substantial Completion and Final Completion dates are June 1, 2011 and July 16, 2011, accordingly.

Change in Contract Price:

Original Contract Price: .....\$ 396,975.00

Contract Price adjusted by prior Change Orders.....\$ N/A

Contract Price due to this Change Order (will increase): .....\$ 35,265.00

Contract Price incorporating this Change Order will be:.....\$ 432,240.00

Change in Contract Time:

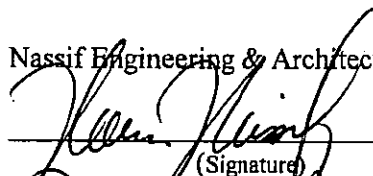
Original Contract Time (calendar days).....365

Contract Time adjusted by prior Change Orders .....N/A

Contract Time due to this Change Order (will increase): .....120

Contract Time incorporating this Change Order will be: .....485

Recommended by (Engineer): Nassif Engineering & Architecture, LLC

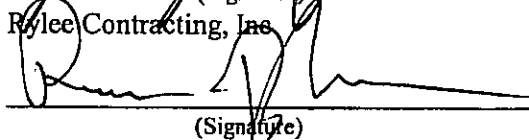
  
(Signature)

4/4/11

Date

Accepted by (Contractor):

Rylee Contracting, Inc.

  
(Signature)

4/11/11

Date

Approved by (Owner):

City of Natchitoches

  
(Signature)

4-26-11

Date

Approved by (Funding Agency): Louisiana Department of Environmental Quality (DEQ)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date



**CHANGE ORDER**  
**Attachment to Change Order No. 1**

The Contract Documents are modified as follows:

The purpose of this change order is to connect an existing force main that conveys flows from the Pilgrims Pride chicken processing facility directly into the City of Natchitoches ConAgra Sewer Pump Station. The existing 6" force main presently connects directly to the City of Natchitoches existing 24" Sewer Force Main that located is in front of the ConAgra Sewer Pump Station. This project is desired so that the City of Natchitoches can sample the influent from the chicken processing factory and also provide a more reliable way to convey the flows downstream.

**Bid Item 4: Traffic Maintenance Aggregate**

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Decreased by 50 Cubic Yards at Bid Unit Price of \$1.00/C.Y resulting in an Item cost change of (\$ 50.00).

As a result of this change, the Contract Price shall be DECREASED by: ..... (\$ 50.00)

**Bid Item 5: 30" Gravity Sewer Main with Aggregate Bedding and Haunching Material**

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Increased by 13 Lineal Feet at Bid Unit Price of \$150.00/L.F. resulting in an Item cost change of \$ 1,950.00.

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 1,950.00

**Bid Item 6: 8" Gravity Sewer Main with Aggregate Bedding and Haunching Material**

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Increased by 8 Lineal Feet at Bid Unit Price of \$45.00/L.F. resulting in an Item cost change of \$ 360.00.

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 360.00

**Bid Item 7: 48" Diameter Reinforced Fiberglass Manholes**

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Decreased by 1 Each at Bid Unit Price of 3,500.00/Each resulting in an Item cost change of \$ 3,500.00.

As a result of this change, the Contract Price shall be DECREASED by: ..... (\$ 3,500.00)

**Bid Item 8: 60" Diameter Reinforced Fiberglass Manholes**

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Increased by 0.5 Each at Bid Unit Price of \$12,000.00/Each resulting in an Item cost change of \$ 6,000.00. This item is increased by 0.5 due to not being able to use an ordered manhole due to the layout of the existing gravity main along La Highway 1 Bypass. The Contractor ordered a new manhole to fit the alignment of the existing gravity main. The manhole not used is scheduled to be re-used at the ConAgra Sewer Pump Station improvements shown and proposed herein.

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 6,000.00

Bid Item 9: Connect to Existing Gravity Sewers

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Increased by 3 Each at Bid Unit Price of \$1,500.00/Each resulting in an Item cost change of \$ 4,500.00. This item is increased by 3 due to discovering additional gravity sewer mains during actual construction that required connections to the new improvements.

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 4,500.00

Bid Item 10: Select Fill Material

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Decreased by 7 Cubic Yards at Bid Unit Price of \$10.00/C.Y resulting in an Item cost change of (\$ 70.00).

As a result of this change, the Contract Price shall be DECREASED by: ..... (\$ 70.00)

Bid Item 12: Manhole Exfiltration Tests

Adjustment in quantity for actual installed amounts. This quantity installed for this project is Decreased by 0.5 Each at Bid Unit Price of \$2,500/Lump Sum resulting in an Item cost change of (\$ 2,500.00).

As a result of this change, the Contract Price shall be DECREASED by: ..... (\$ 2,500.00)

ADD1 Mobilization and General Conditions

Mobilization to Job Site and General Conditions. Item cost of \$ 3,000.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 3,000.00

ADD2 Test Pits

Perform test pits as required to determine exact location of force main and other utilities in general vicinity of project site. Item cost of \$ 4,400.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 4,400.00

ADD3 Remove and Replace 6" Concrete at existing RV Dump Station

Remove and replace existing 6" concrete pavement with integral curb in order to access existing 6" force main and to install new force main improvements. New pavement to have 6" aggregate base and have steel reinforcement. Item cost of \$ 4,050.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 4,050.00

ADD4 Disconnect Existing 6" Force Main at 24" Force Main and Cap Lines

Excavate and disconnect existing 6" sewer force main at existing 24" sewer force main. Cap lines as required and backfill. Item cost of \$ 2,400.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 2,400.00

ADD5 Install new 6" PVC C-900 Force Main

Install new 6" PVC C-900 from existing force main to new sample manhole. Item to include excavation, fittings as required, connection to existing line, backfill, etc. as required. Item cost of \$ 2,250.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 2,250.00

ADD6 Install new Sampling Manhole

Install fiberglass manhole (Owner provided) at the upstream side of existing 24" force main that conveys flows from Sibley Lake Sewer Force Main to ConAgra Sewer Force Main. Item shall include aggregate bedding, concrete foundation, excavation, backfill, manhole lid and frame, by-pass pumping as required, removal and replacement of existing lines as required (work is in confined area with regards to existing utilities). Item cost of \$ 8,675.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 8,675.00

ADD7 Connect New 6" Sewer Force Main to new Sampling Manhole

Connect new 6" Sewer Force Main to new Sampling Manhole. Item shall include fittings, manhole boots, excavation and backfill. Item cost of \$ 3,800.00

As a result of this change, the Contract Price shall be INCREASED by:..... \$ 3,800.00

The Total Contract Price due to this Change Order will be INCREASED by: .....\$ 35,265.00

The following Resolution was Introduced by Mr. Mims and Seconded by Ms. Morrow as follows, to-wit:

**RESOLUTION NO. 028 OF 2011**

**A RESOLUTION AUTHORIZING THE MAYOR TO OPEN THE  
BIDS FOR THE PURCHASE OF A POWER PLANT SUBSTATION  
SWITCHGEAR AND CONTROL HOUSE**

**(BID NO. 0510)**

**WHEREAS**, the City wishes to open the bids for the purchase of a power plant substation switchgear and control house (Bid No. 0510).

**WHEREAS**, this bid was advertised in the *Natchitoches Times* on April 1, 8 and 15, 2011 in accordance with law; and

**WHEREAS**, the following committee members were appointed to review the bids received: Pat Jones, Edd Lee, Don Mims, Bryan Wimberly and Michael Hilton of P.E. Electrical Engineering Services, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Natchitoches, in legal session convened, that the Mayor Wayne McCullen be and is hereby authorized, empowered and directed to open the bids for the purchase of a power plant substation switchgear and control house (Bid No. 0510).

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>Mims, Morrow, Payne, Nielsen, McCain</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

The following Resolution was Introduced by Mr. Mims and Seconded by Ms. Morrow as follows, to-wit:

**RESOLUTION NO. 028 OF 2011**

**A RESOLUTION AUTHORIZING THE MAYOR TO OPEN THE  
BIDS FOR THE PURCHASE OF A POWER PLANT SUBSTATION  
SWITCHGEAR AND CONTROL HOUSE**

**(BID NO. 0510)**

**WHEREAS**, the City wishes to open the bids for the purchase of a power plant substation switchgear and control house (Bid No. 0510).

**WHEREAS**, this bid was advertised in the *Natchitoches Times* on April 1, 8 and 15, 2011 in accordance with law; and

**WHEREAS**, the following committee members were appointed to review the bids received: Pat Jones, Edd Lee, Don Mims, Bryan Wimberly and Michael Hilton of P.E. Electrical Engineering Services, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Natchitoches, in legal session convened, that the Mayor Wayne McCullen be and is hereby authorized, empowered and directed to open the bids for the purchase of a power plant substation switchgear and control house (Bid No. 0510).

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>Mims, Morrow, Payne, Nielsen, McCain</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

The following Ordinance was Introduced by Councilman Payne as follows:

**ORDINANCE NO. 023 OF 2011**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, LOUISIANA, TO ENTER INTO AN AGREEMENT WITH JANITH C. FREDERICK AND EMILYN M. HORTON, PROVIDING FOR IMPROVEMENTS TO ALLOW REROUTING OF FREIGHT DELIVERIES IN ORDER TO REMOVE ENCUMBRANCE ON PROPERTY TO BE DELIVERED FOR CONSTRUCTION OF A HOTEL.**

**WHEREAS**, the City of Natchitoches (sometimes hereinafter referred to as the "City") is a Municipality located in the State of Louisiana, Parish of Natchitoches governed under a Home Rule Charter and a Code of Ordinances adopted by Ordinance No. 5 of 1977; and

**WHEREAS FURTHER**, Janith C. Frederick and Emilyn M. Horton (sometimes hereinafter referred to as "Frederick") are the owners of a tract of land located in the City of Natchitoches, being more particularly described as follows, to-wit:

That certain tract of land, located and situated in City of Natchitoches, Louisiana, located on Front Street, within the block bounded by Front Street, Lafayette Street, Ducournau Street and Horn Street, and having a frontage on Front Street of 76.7 feet and being bounded on the East by Front Street, on the North by property, owned now or formerly, by Natchitoches Motor Company, on the West by Ducournau Street, and on the South by property, owned now or formerly, by Cloutier. (sometimes hereinafter referred to as "Frederick Property"); and

**WHEREAS FURTHER**, the City is the record fee owner of property located at the Southeast corner of the intersection of Second Street and Lafayette Street, which property is more fully described as follows, to-wit:

That certain tract of ground shown, together with all buildings and improvements situated thereon, located in the City and Parish of Natchitoches, Louisiana, being more fully shown and depicted as Tract "A-1A" on a plat of survey by Robert L. Davis, dated February 9, 2010. (sometimes hereinafter referred to as "City Property"); and

**WHEREAS FURTHER**, the City Property is bisected, North to South by the former right of way of Ducournau Street, and the business located on Frederick Property currently receives freight deliveries across this former right of way of Ducournau Street; and

**WHEREAS FURTHER,** the City issued a request for proposals for the construction of a hotel on the City Property, and the successful respondent to the request for proposals has indicated that the hotel cannot be constructed without the use of the former right of way of Ducournau Street in its construction plan; and

**WHEREAS FURTHER,** in an effort to deliver the former right of way of Ducournau Street to the successful respondent to the request for proposals and to prevent an interruption in freight deliveries to Frederick, the City is in the process of acquiring property from City Bank & Trust Company, both in fee simple and easement, which property will be developed into a new right of way adequate to handle freight traffic and deliveries from Second Street to the rear property line of the Frederick Property; and

**WHEREAS FURTHER,** associated with the development of the new right of way and providing freight access, the City agrees to undertake the following:

- 1) Widen the travel lane of Second Street in that area across from the northern end of the new right of way, which shall include the removal of the parking spot, reworking of the curbing in front of the Natchitoches Events Center, and re-location of light poles in the vicinity, all as shown on the set of drawings attached to the Agreement as Exhibit "A".
- 2) Increase the hard surface travel lane of the right of way of Ducournau Street to 30 feet, said hard surface being sufficient to handle to operation of tractor trailers.
- 3) Improve and relocate drainage pipes and catch basins in accordance with the set of drawings attached to the Agreement as Exhibit "B".
- 4) Develop a new right of way from Second Street to Ducournau Street within the area being acquired from City Bank & Trust Company in accordance with the set of drawings attached to the Agreement as Exhibit "C".

**WHEREAS FURTHER,** in consideration of the forgoing commitment by the City, Frederick agrees to undertake the following:

- 1) Execute an instrument sufficient to release any right or servitude that Frederick may have over the City Property, said instrument to be substantially in the form of the instrument attached to the Agreement as Exhibit "D".
- 2) Grant a temporary construction easement and a permanent drainage easement for the placement of a new rollover catch basin within Ducournau Street and related drainage improvements on Frederick Property in accordance with the set of drawings attached to the Agreement as Exhibit "B", said instrument to be substantially in the form of the instrument attached to the Agreement as Exhibit "E".

**WHEREAS FURTHER**, the City has indicated that it will be entering into a similar arrangement with the property owner to the South of Frederick, and the City further agrees to provide a most favored nation clause, committing to amend this agreement to include any term or terms that may be included in the agreement with the property owner to the South that are more favorable than the terms included in this agreement; and

**WHEREAS FURTHER**, the parties further agree that either shall have the right to sue for specific performance to enforce the obligations that each party has undertaken; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches is of the opinion that the agreement with Frederick, is in the interest of the City and will help provide economic stimulus for the City of Natchitoches, Louisiana; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Natchitoches, Louisiana, that the Mayor of the City of Natchitoches, Wayne McCullen is hereby authorized to execute the attached Agreement with **Janith C. Frederick** and **Emilyn M. Horton**.

**BE IT FURTHER ORDAINED** that the terms of the Agreement, attached hereto, are approved and accepted by the City Council of the City of Natchitoches, Louisiana.

This Ordinance was introduced on the 25<sup>th</sup> day of April, 2011.



Mayor McCullen stated that tonight we have a very lengthy agenda and most of it deals with a project that we have been talking about for some time and of course that's the proposed hotel here in Natchitoches. Back in 2007, the City of Natchitoches opened the Natchitoches Events Center. I am very proud to say that it is something that we're extremely proud of and has been very, very useful in promoting tourism and being an integral part of our downtown historic district. Of course, the mainstay of this was to have an anchor hotel and is something that is very important to the success of our events center. The City of Natchitoches contracted with PKF Consulting to come in, do a feasibility study and they came back with a very positive feasibility study, stating that there was a need for a hotel to be an anchor for our events center. At that time, we asked this same group to go out for requests for proposals. We did get some responses and are proud to say that the individual and a company was chosen to potentially develop the hotel. We have been working with closely with them and signed a letter of intent to develop the plans and management agreement not only for the events center but to develop a hotel. Tonight, as we start moving toward the development of that hotel, we are proud to have the developer here, Mr. Warren Reuther who is the president of New Orleans Hospitality Consultants and he not only brings the ability to develop a hotel but a long experience with hospitality management. Mayor McCullen stated that Mr. Reuther has been very successful within the industry, something that will be extremely beneficial in Natchitoches and Natchitoches is very fortunate to have someone like him and his company respond to our RFB. The Mayor then introduced Warren Reuther and had him come forward to give a little overview of himself, his company, his ability to develop this hotel, make it successful in the tourist industry here in Natchitoches and tell a little bit about the projected project.

Mr. Warren Ruther then addressed the council and stated that he has a history in Natchitoches with having two boats docked on the river in Natchitoches. He thanked Iris Harper and her husband for the great job in managing the company. Mr. Ruther stated he is from New Orleans, Louisiana and has twenty different companies that are involved in the hospitality industry. We have hotels, passenger paddle wheel boats and a big bus company called New Orleans Tours. We are the official airport shuttle company for the City of New Orleans. Mr. Ruther commented that all of his companies have simple names, New Orleans Tours, Airport Shuttle, New Orleans Paddle Wheels, and say what we do. He said they are the official travel company to New Orleans Saints and handle all the teams that play the Saints; the official for the Sugar Bowl in New Orleans, the BCS game, NCA Final Four. His company in New Orleans moves about 400,000 people a month in all kinds of different ways in the hospitality industry and also manages convention centers. In New Orleans the convention center is one block short of a mile long and holds 60,000 people. He managed it and built it in two phases for the City of New Orleans. It holds 60,000 people and served on the board for ten years. He was also head of construction for the LSED board which oversees the Superdome, arena where the Hornets play, Saint's training facility, Zephyr's baseball field, Olario Center and now the TCP course for the golfers that are in New Orleans. Mr. Reuther stated that Natchitoches is a great city, and everybody that comes here says it's a great city and you have a great convention facility. What happens in a lot of these small towns they build these convention facilities and think because you build them, everybody is going to come. You have to market your city along with the convention center and have a hotel that compliments your facility. He said that Natchitoches has had exactly the right approach in that you hired a company to come in, take a look at what you have, make recommendations as to what you should do. Natchitoches has everything that you need, you have a great facility, a historic city, and a great convention center. These convention centers originally were built as an economic stimulus for a city and in order to get the right people in it you have to have a hotel to compliment it. It works hand in hand. And if you do that, you are going to have the same results that we have in Natchez. We understand that in Natchitoches you have a lot of weddings. We have a lot of weddings in Natchez. So we built a similar hotel there. The one here will be called the Natchitoches Grand Hotel. We already have the website registered to compliment your city. You always sell the destination. So if we can build the hotel which would complement the center and you start having these meetings in Natchitoches, you are going have people staying two, three nights which would generate additional revenue for the city. This is what has been done in other cities that do the same thing especially in New Orleans with the size of the facility that they have. The same thing holds true for Natchez. So it will happen. I think the steps that you all are taking tonight is going to assist us in making it happen and I will say this hotel will complement your city and you've been needing this for a long time.

Mayor McCullen thanked Mr. Ruther and addressed the public. The Mayor stated that everyone has had an opportunity to see the conceptual drawings and noted that Mr. Reuther has not started on any construction plans. This is all conceptual and that he is here tonight to talk about himself, his ability to develop this project, his management within the hospitality and management field. If there is anyone that would like to ask any questions directed to him, he is available at this point. If not, we will begin addressing the agenda items and move on, on the agenda.

The following Ordinance was Introduced by Ms. Morrow as follows, to-wit:

**ORDINANCE NO. 024 OF 2011**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, LOUISIANA, TO ENTER INTO AN AGREEMENT WITH NOWLIN & LEMOINE, L.L.C., PROVIDING FOR IMPROVEMENTS TO ALLOW REROUTING OF FREIGHT DELIVERIES IN ORDER TO REMOVE ENCUMBRANCE ON PROPERTY TO BE DELIVERED FOR CONSTRUCTION OF A HOTEL.**

**WHEREAS**, the City of Natchitoches (sometimes hereinafter referred to as the “City”) is a Municipality located in the State of Louisiana, Parish of Natchitoches governed under a Home Rule Charter and a Code of Ordinances adopted by Ordinance No. 5 of 1977; and

**WHEREAS FURTHER**, Nowlin & Lemoine, L.L.C. (sometimes hereinafter referred to as “Nowlin”) is the owner of adjacent tracts of land located in the City of Natchitoches, being more particularly described as follows, to-wit:

TRACT 1:

That certain tract of land, located and situated in City of Natchitoches, Louisiana, together with all buildings and improvements thereon located, being a lot measuring 64.3 feet fronting on Front Street by depth of 332.0 feet, bounded North by property of Nowlin & Associates, L.L.C., South by property, now or formerly of Hughes, East by Front Street and West by Ducournau Street, being the same property acquired by Nowlin & Lemoine, L.L.C. from Rickey Louis Nowlin, et al, by deed recorded August 4, 1995, and recorded at Conveyance Book 504, page 17.

TRACT 2:

That certain tract of land, located and situated in City of Natchitoches, Louisiana, together with all buildings and improvements thereon located, situated on the West side of Front Street and being described as having a width on Front Street of 58 feet, more or less, by a depth between equal and parallel lines of 308.3 feet, more or less, being described as bounded North by property owned by Janith C. Frederick and Emilyn H. Horton, South by property of Nowlin & Lemoine, L.L.C., West by Ducournau Street and East by Front Street.  
Being the same property acquired by Nowlin & Lemoine, L.L.C. from Ducournau Square, Inc., by act recorded February 18, 1998, and recorded at Conveyance Book 528, page 82, and by Ducournau Square, Inc., from Peter Emanuel Cloutier, Jr. and Carolyn Glass Cloutier by deed dated July 28, 1981 and recorded in Conveyance Book 372, page 101.

; and

**WHEREAS FURTHER,** the City is the record fee owner of property located at the Southeast corner of the intersection of Second Street and Lafayette Street, which property is more fully described as follows, to-wit:

That certain tract of ground shown, together with all buildings and improvements situated thereon, located in the City and Parish of Natchitoches, Louisiana, being more fully shown and depicted as Tract "A-1A" on a plat of survey by Robert L. Davis, dated February 9, 2010. (sometimes hereinafter referred to as "City Property"); and

**WHEREAS FURTHER,** the City Property is bisected, North to South by the former right of way of Ducournau Street, and businesses located on Nowlin Property currently receive freight deliveries across this former right of way of Ducournau Street; and

**WHEREAS FURTHER,** the City issued a request for proposals for the construction of a hotel on the City Property, and the successful respondent to the request for proposals has indicated that the hotel cannot be constructed without the use of the former right of way of Ducournau Street in its construction plan; and

**WHEREAS FURTHER,** in an effort to deliver the former right of way of Ducournau Street to the successful respondent to the request for proposals and to prevent an interruption in freight deliveries to Nowlin, the City is in the process of acquiring property from City Bank & Trust Company, both in fee simple and easement, which property will be developed into a new right of way adequate to handle freight traffic and deliveries from Second Street to the rear property line of the Nowlin Property; and

**WHEREAS FURTHER,** associated with the development of the new right of way and providing freight access, the City agrees to undertake the following:

- 1) Widen the travel lane of Second Street in that area across from the northern end of the new right of way, which shall include the removal of the parking spot, reworking of the curbing in front of the Natchitoches Events Center, and re-location of light poles in the vicinity, all as shown on the set of drawings attached to the Agreement as Exhibit "A".
- 2) Increase the hard surface travel lane of the right of way of Ducournau Street to 30 feet, said hard surface being sufficient to handle to operation of tractor trailers.
- 3) Improve and relocate drainage pipes and catch basins in accordance with the set of drawings attached to the Agreement as Exhibit "B".

- 4) Develop a new right of way from Second Street to Ducournau Street within the area being acquired from City Bank & Trust Company in accordance with the set of drawings attached to the Agreement as Exhibit "C".

**WHEREAS FURTHER**, in consideration of the forgoing commitment by the City, Nowlin agrees to undertake the following:

- 1) Execute an instrument sufficient to release any right or servitude that Nowlin may have over the City Property, said instrument to be substantially in the form of the instrument attached to the Agreement as Exhibit "D".
- 2) Grant a temporary construction easement for the placement of a new rollover catch basin within Ducournau Street and related drainage improvements in accordance with the set of drawings attached to the Agreement as Exhibit "B", said instrument to be substantially in the form of the instrument attached to the Agreement as Exhibit "E".

**WHEREAS FURTHER**, the parties further agree that either shall have the right to sue for specific performance to enforce the obligations that each party has undertaken; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches is of the opinion that the agreement with Nowlin, is in the interest of the City and will help provide economic stimulus for the City of Natchitoches, Louisiana; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Natchitoches, Louisiana, that the Mayor of the City of Natchitoches, Wayne McCullen is hereby authorized to execute the attached Agreement with **Nowlin & Lemoine, L.LC.**

**BE IT FURTHER ORDAINED** that the terms of the Agreement, attached hereto, are approved and accepted by the City Council of the City of Natchitoches, Louisiana.

This Ordinance was introduced on the 25<sup>th</sup> day of April, 2011.

This was read by title only and basically we have two ordinances that are basically identical that are going to be introduced tonight. And as you know this being in the historic district, one of the challenges that we had was freight delivery to the downtown merchants and what this would be for is re-routing of Ducournau Street to allow for the freight delivery to those respective businesses. Any questions concerning this ordinance? This is for introduction tonight. We'll be back before the City Council in two weeks for a final vote.

The following Ordinance was Introduced by Mr. McCain as follows, to-wit:

**ORDINANCE NO. 025 OF 2011**

**AN ORDINANCE LEVYING AN ADDITIONAL HOTEL OCCUPANCY TAX OF TWO PERCENT (2.00%) IN THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT A, STATE OF LOUISIANA (THE "DISTRICT"); DESIGNATING THE FULL AMOUNT OF SUCH ADDITIONAL HOTEL OCCUPANCY TAX AS THE HOTEL OCCUPANCY TAX INCREMENTS IN THE DISTRICT FROM WHICH THE HOTEL OCCUPANCY TAX INCREMENTS WILL BE DETERMINED AND USED TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DESIGNATING THE INITIAL ANNUAL BASELINE COLLECTION RATE AND ESTABLISHING A MONTHLY BASELINE COLLECTION RATE FOR THE DISTRICT; PLEDGING AND DEDICATING SUCH TAX INCREMENTS TO REIMBURSE ECONOMIC DEVELOPMENT COSTS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING**

**WHEREAS**, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

**WHEREAS**, by ordinance adopted on this date the City of Natchitoches, State of Louisiana (the "City") created the Natchitoches Economic Development District A, State of Louisiana (the "District"), in accordance with La. R.S. 33:9038.32; and

**WHEREAS**, La. R.S. 33:9038.39 permits the District to levy a hotel occupancy tax for authorized purposes; and

**WHEREAS**, La. R.S. 33:9038.34(O) provides for the creation of a special trust fund for the furtherance of economic development projects, as defined in the Act, into which the incremental increases in hotel occupancy taxes shall be deposited and loaned, granted, donated, or pledged in furtherance of economic development projects (each Project hereinafter approved being referred to herein as a "Project" or "Projects"); and

**WHEREAS**, in accordance with the Act, the governing authority of the City, in said ordinance creating the District did further create a special trust fund, named the "Natchitoches #1 Economic Development District Trust Fund" (the "Trust Fund") the purpose of which is to fund economic development projects selected by the District in the manner provided by the Act; and

**WHEREAS**, in accordance with La. R.S. 33:9038.39, and in order to finance and fund certain Projects, the governing authority of the City, in its capacity as governing authority of the District, desires levy an additional hotel occupancy tax of two percent (2.00%) in the District and to designate such increase in the hotel occupancy tax as the hotel occupancy tax increment which will be used to reimburse costs of economic development projects as defined in the Act;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Councilmen of the City of Natchitoches, State of Louisiana, acting as the governing authority of the Natchitoches Economic Development District A, State of Louisiana, that:

**SECTION 1. Levy of Hotel Occupancy Tax.** In accordance with La. R.S. 33:9038.39 and other constitutional and statutory authority supplemental thereto, there is hereby levied in the

District, effective \_\_\_\_\_, 2011, a tax of two percent (2.00%), upon the fee or rent for occupancy of hotel rooms located within the District (the "District Tax").

The word "hotel" in this section shall mean and include any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of ten or more guest rooms. "Hotel" does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with hospital or medical clinic providing rooms exclusively for patients and their families.

The District Tax shall be paid by the person who occupies or is entitled to occupancy of the hotel room and shall be paid at the time the rent or fee for occupancy is paid. The word "person" shall have the same definition as that contained in La. R.S. 47:301(8).

The proceeds of the District Tax shall be used to pay the costs of economic development projects, as defined in the Act, particularly in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36.

As provided by La. R.S. 33:9038.39, no election shall be required in connection with the levy of the District Tax, since there are no qualified electors in the District, as certified by the Natchitoches Parish Registrar of Voters by certification attached hereto as Exhibit A.

SECTION 2. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the District Tax, each dealer shall be allowed one percent (1.00%) of the amount of District Tax due and accounted for and remitted to the Tax collector in the form of a deduction in submitting his report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 3. Tax Collector. The District Tax is authorized to be collected by a "Collector" which term shall mean the Natchitoches Tax Commission (the "Collector"). The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the District Tax shall be promptly deposited by the Collector for the account of the District in the Trust Fund, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

SECTION 4. Designation of Baseline Collection Rate. The District Tax levied pursuant to Section 1 above is a new hotel occupancy tax and the full amount thereof is hereby designated by the District to be used in determining the hotel occupancy tax increment pursuant to the Act. The initial annual baseline collection rate for the District, which is the amount of the District Tax collected in the District in the most recent completed fiscal year prior to the establishment of the District, is hereby designated to be zero (\$0.00) (the "Initial Annual Baseline Collection Rate"), as the District Tax was not levied during the most recently completed fiscal year of this governing authority prior to the establishment of the District. The monthly baseline collection rate, which is the initial annual baseline collection rate divided by twelve (12), is hereby designated to be zero (\$0.00) (the "Monthly Baseline Collection Rate").

SECTION 5. Certification of Initial Baseline Collection Rate. The chief financial officer of the City has furnish a certification, attached hereto as Exhibit B, as to the accuracy of the Initial Annual Baseline Collection Rate and Monthly Baseline Collection Rate and is further authorized to publish such certification in *The Natchitoches Times*, the official journal of the City, one time. If the amounts of the Initial Annual Baseline Collection Rate and the Monthly



Baseline Collection Rate are not contested within thirty days after the said publication, then such amounts shall be conclusively presumed to be valid, and no court shall have any jurisdiction to alter or invalidate the designation of the amount of either the initial annual baseline collection rate or the monthly baseline collection rate.

SECTION 6. Designation of Hotel Occupancy Tax Increment. The District hereby designates the entire amount of the District Tax as the District's hotel occupancy tax increment, which is to be deposited in the Trust Fund for the furtherance of economic development projects through reimbursement of costs of economic development projects, and hereby pledges and dedicates to such purpose the hotel occupancy tax increment.

SECTION 7. Notice of Intent. The governing authority of the District hereby ratifies the prior publication of a notice describing the levy of the District Tax and informing the citizens of the date of consideration of this ordinance, said notice having been published once a week for two weeks in *The Natchitoches Times*, the official journal of the City, in the form of notice attached hereto as Exhibit C.

SECTION 8: Authorization of Officers. The Mayor and Clerk of the City are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this ordinance.

SECTION 9: Severability. If any provision of this ordinance shall be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 10: Repealer. All ordinances or resolution, or parts thereof, in conflict herewith are hereby repealed.

SECTION 11: Publication; Effective Date. This ordinance shall be published one time in the official journal of the City, and shall become effective upon approval by the Mayor.

This Ordinance was published in *The Natchitoches Times* on April 28 and May 5, 2011.

**EXHIBIT A**

STATE OF LOUISIANA

PARISH OF NATCHITOCHES

I, Debbie Waskom, the duly appointed Registrar of Voters of the Parish of Natchitoches, State of Louisiana, do hereby certify to the City of Natchitoches, State of Louisiana, that there are no qualified electors located in the economic development district known as the "Natchitoches Economic Development District A, State of Louisiana," being an approximately 12.79 acre site at the northwest right-of-way intersection of Washington Street, Front Street and Lafayette Street, having the specific geographical boundaries set forth in the Notice of Intent to levy the hotel occupancy tax.

IN FAITH WHEREOF, witness my signature and official seal of the Registrar of Voters of the Parish of Natchitoches, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

(SEAL)

/s/ Debbie Waskom

\_\_\_\_\_  
Natchitoches Parish Registrar of Voters

[ORIGINAL ON FILE WITH THE CITY CLERK OF  
THE CITY OF NATCHITOCHES, STATE OF LOUISIANA  
AS AN ATTACHMENT TO ORDINANCE NO. 025 OF 2011]

STATE OF LOUISIANA  
PARISH OF NATCHITOCHES

IN FAITH WHEREOF, witness my signature and official seal of the City of Natchitoches, State of Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

By: /s/  
Title: Chief Financial Officer  
City of Natchitoches

[ORIGINAL ON FILE WITH THE CITY CLERK OF  
THE CITY OF NATCHITOCHES, STATE OF LOUISIANA  
AS AN ATTACHMENT TO ORDINANCE NO. 2011-     ]

## EXHIBIT C

[The following notice is to published once a week for two weeks in the official journal of the City of Natchitoches, the first publication to appear at least fourteen days before the public hearing mentioned therein]

### **NOTICE OF INTENTION TO LEVY A TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT A, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN that the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.39, levying an additional two percent (2.00%) hotel occupancy tax ("District Tax") within the confines of the Natchitoches Economic Development District A, State of Louisiana" (the "District") for the purpose of financing economic development projects, as defined in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36 (the "District Tax"). The proceeds of the District Tax will be deposited in a special trust fund to be used for the furtherance of economic development projects all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*).

NOTICE IS HEREBY FURTHER GIVEN that said City Council, acting as the governing authority of both the City and the District, will meet in open and public session on May 12, 2011, at 7:00 o'clock p.m., at the Arts Center, 716 Second Street, in Natchitoches, Louisiana, to hear any objections to the levy of the District Tax.

The District is an approximately 12.79 acre site in the City of Natchitoches, Louisiana. The boundaries of the District are proposed to be as follows:

**Beginning at a found 3/8 inch iron rod a the Northwest right of way intersection of Washington Street, Front Street and Lafayette Street, thence North 8 degrees 01 minute 48 seconds East along the West right of way of Washington Street a distance of 90 feet; thence North 78 degrees 14 minutes 22 seconds West a distance of 64.64 feet; thence North 9 degrees 21 minutes 26 seconds East a distance of 57.98 feet; thence North 82 degrees 11 minutes 22 seconds West a distance of 169.83 feet; thence South 12 degrees 51 minutes 50 seconds West a distance of 58.18 feet; thence South 12 degrees 8 minutes 8 seconds West a distance of 1.15 feet; thence North 86 degrees 39 minutes 01 second West a distance of 58.63 feet; thence South 9 degrees 3 minutes 16 seconds East a distance of 90.75 feet to the North right of way of Lafayette Street; thence westerly along the northern right of way of Lafayette Street to the Northeast corner of the intersection of Lafayette Street and Second Street; thence northerly along the eastern right of way of Second Street a distance of 183 feet; thence westerly across the right of way of Second Street to a point that is on the western right of way of Second Street and at the Northeast corner of property owned by the City of Natchitoches; thence North 85 degrees 32 minutes 45 seconds West a distance of 182.52 feet; thence North 3 degrees 51 minutes 39 seconds East a distance of 52.46 feet; thence North 86 degrees 28 minutes 5 seconds West a distance of 149.47 feet to the eastern right of way of Third Street; thence West across the right of way of Third Street to the western right of way of Third Street; thence southerly along the western right of way of Third Street to the Southwest corner of the intersection of Third Street and Buard Street; thence westerly along the southern right of way of Buard Street a distance of 150 feet; thence southerly a distance sufficient to intersect that point on the northerly right of way of Lafayette Street that is 157 feet from the Northwest corner of the intersection of Lafayette Street and Third Street; thence easterly along the northern right of way of Lafayette Street a distance of 157 feet to the Northwest corner of the intersection of Lafayette Street and Third Street; thence easterly across the right of way of Third Street to the Northeast**

corner of the intersection of Lafayette Street and Third Street; thence southerly along the eastern right of way of Third Street a distance sufficient to intersect the Southwest corner of the property comprising the Natchitoches Events Center; thence Westerly along the southern boundary of the property comprising the Natchitoches Events Center to a point on the western right of way of Second Street; thence in a southerly direction along the western right of way of Second Street a distance of 50 feet; thence North 84 degrees 39 minutes West a distance of 203.7 feet; thence South 5 degrees 21 minutes West a distance of 51.8 feet; thence South 84 degrees 44 minutes East a distance of 41.5 feet; thence in a southerly direction along the boundary between property of City of Natchitoches and the United States Post Office a distance sufficient to intersect the northern right of way of St. Denis Street; thence in an easterly direction along the northern right of way of St. Denis Street to the Northwest corner of the intersection of St. Denis Street and Second Street; thence easterly across Second Street to the Northeast corner of the intersection of St. Denis Street and Second Street; thence southerly across St. Denis Street to the Southeast corner of the intersection of St. Denis Street and Second Street; thence southerly along the eastern right of way of Second Street a distance of 70.6 feet; thence turn and on an interior angle of 90 degrees 15 minutes run easterly a distance of 90 feet; thence turn and on an interior angle of 90 degrees 39 minutes run southerly a distance of 48.67 feet; thence turn and on an interior angle of 86 degrees 50 minutes run westerly 17.75 feet ; thence turn and on an interior angle of 93 degrees 10 minutes run northerly a distance of 4.08 feet; thence turn and on an interior angle of 88 degrees 28 minutes run westerly a distance of 22 feet; thence turn and on an interior angle of 95 degrees 19 minutes run northerly a distance of 8.5 feet; thence turn and on an interior angle of 93 degrees 59 minutes run westerly a distance of 50 feet to the eastern right of way of Second Street; thence run southerly along the eastern right of way of Second Street to the Northeast corner of the intersection of Second Street and Church Street; thence run easterly along the northern right of way of Church Street to a point that is 102 feet from the Northwest corner of the intersection of Church Street and Front Street; thence North 5 degrees 44 minutes 56 seconds East a distance of 108.05 feet; thence North 83 degrees 59 minutes 20 seconds West a distance of 95.80 feet; thence North 5 degrees 23 minutes 18 seconds East a distance sufficient to intersect the northern right of way of St. Denis Street; thence westerly along the northern right of way of St. Denis Street to a point that is on a line of the eastern right of way of Ducournau Street as extended; thence northerly along the line of the eastern right of way of Ducournau Street as extended to the Northeast corner of the intersection of Horn Street and Ducournau Street; thence continue northerly along the eastern right of way of Durcournau Street to a point that is on the southern boundary of property owned by the City of Natchitoches; thence South 80 degrees 56 minutes 53 seconds East a distance of 104.82 feet; thence South 8 degrees 29 minutes 30 seconds West a distance sufficient to intersect the northern right of way of Lafayette Street; thence easterly along the northern right of way of Lafayette Street to the Northwest corner of the intersection of Washington Street, Front Street and Lafayette Street, being the point of beginning.

\* \* \* \* \*

The following Ordinance was Introduced by Mr. Mims as follows, to-wit:

**ORDINANCE NO. 026 OF 2011**

**AN ORDINANCE LEVYING AN ADDITIONAL HOTEL OCCUPANCY TAX OF TWO PERCENT (2.00%) IN THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT B, STATE OF LOUISIANA (THE "DISTRICT"); DESIGNATING THE FULL AMOUNT OF SUCH ADDITIONAL HOTEL OCCUPANCY TAX AS THE HOTEL OCCUPANCY TAX INCREMENTS IN THE DISTRICT FROM WHICH THE HOTEL OCCUPANCY TAX INCREMENTS WILL BE DETERMINED AND USED TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DESIGNATING THE INITIAL ANNUAL BASELINE COLLECTION RATE AND ESTABLISHING A MONTHLY BASELINE COLLECTION RATE FOR THE DISTRICT; PLEDGING AND DEDICATING SUCH TAX INCREMENTS TO REIMBURSE ECONOMIC DEVELOPMENT COSTS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.**

**WHEREAS**, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

**WHEREAS**, by ordinance adopted on this date the City of Natchitoches, State of Louisiana (the "City") created the Natchitoches Economic Development District B, State of Louisiana (the "District"), in accordance with La. R.S. 33:9038.32; and

**WHEREAS**, La. R.S. 33:9038.39 permits the District to levy a hotel occupancy tax for authorized purposes; and

**WHEREAS**, La. R.S. 33:9038.34(O) provides for the creation of a special trust fund for the furtherance of economic development projects, as defined in the Act, into which the incremental increases in hotel occupancy taxes shall be deposited and loaned, granted, donated, or pledged in furtherance of economic development projects (each Project hereinafter approved being referred to herein as a "Project" or "Projects"); and

**WHEREAS**, in accordance with the Act, the governing authority of the City, in said ordinance creating the District did further create a special trust fund, named the "Natchitoches #1 Economic Development District Trust Fund" (the "Trust Fund") the purpose of which is to fund economic development projects selected by the District in the manner provided by the Act; and

**WHEREAS**, in accordance with La. R.S. 33:9038.39, and in order to finance and fund certain Projects, the governing authority of the City, in its capacity as governing authority of the District, desires levy an additional hotel occupancy tax of two percent (2.00%) in the District and to designate such increase in the hotel occupancy tax as the hotel occupancy tax increment which will be used to reimburse costs of economic development projects as defined in the Act;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Councilmen of the City of Natchitoches, State of Louisiana, acting as the governing authority of the Natchitoches Economic Development District B, State of Louisiana, that:

SECTION 1. Levy of Hotel Occupancy Tax. In accordance with La. R.S. 33:9038.39 and other constitutional and statutory authority supplemental thereto, there is hereby levied in the District, effective \_\_\_\_\_, 2011, a tax of two percent (2.00%), upon the fee or rent for occupancy of hotel rooms located within the District (the "District Tax").

The word "hotel" in this section shall mean and include any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of ten or more guest rooms. "Hotel" does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with hospital or medical clinic providing rooms exclusively for patients and their families.

The District Tax shall be paid by the person who occupies or is entitled to occupancy of the hotel room and shall be paid at the time the rent or fee for occupancy is paid. The word "person" shall have the same definition as that contained in La. R.S. 47:301(8).

The proceeds of the District Tax shall be used to pay the costs of economic development projects, as defined in the Act, particularly in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36.

As provided by La. R.S. 33:9038.39, no election shall be required in connection with the levy of the District Tax, since there are no qualified electors in the District, as certified by the Natchitoches Parish Registrar of Voters by certification attached hereto as Exhibit A.

SECTION 2. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the District Tax, each dealer shall be allowed one percent (1.00%) of the amount of District Tax due and accounted for and remitted to the Tax collector in the form of a deduction in submitting his report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 3. Tax Collector. The District Tax is authorized to be collected by a "Collector" which term shall mean the Natchitoches Tax Commission (the "Collector"). The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the District Tax shall be promptly deposited by the Collector for the account of the District in the Trust Fund, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

SECTION 4. Designation of Baseline Collection Rate. The District Tax levied pursuant to Section 1 above is a new hotel occupancy tax and the full amount thereof is hereby designated by the District to be used in determining the hotel occupancy tax increment pursuant to the Act. The initial annual baseline collection rate for the District, which is the amount of the District Tax collected in the District in the most recent completed fiscal year prior to the establishment of the District, is hereby designated to be zero (\$0.00) (the "Initial Annual Baseline Collection Rate"), as the District Tax was not levied during the most recently completed fiscal year of this governing authority prior to the establishment of the District. The monthly baseline collection rate, which is the initial annual baseline collection rate divided by twelve (12), is hereby designated to be zero (\$0.00) (the "Monthly Baseline Collection Rate").

SECTION 5. Certification of Initial Baseline Collection Rate. The chief financial officer of the City has furnish a certification, attached hereto as Exhibit B, as to the accuracy of the Initial Annual Baseline Collection Rate and Monthly Baseline Collection Rate and is further

authorized to publish such certification in *The Natchitoches Times*, the official journal of the City, one time. If the amounts of the Initial Annual Baseline Collection Rate and the Monthly Baseline Collection Rate are not contested within thirty days after the said publication, then such amounts shall be conclusively presumed to be valid, and no court shall have any jurisdiction to alter or invalidate the designation of the amount of either the initial annual baseline collection rate or the monthly baseline collection rate.

SECTION 6. Designation of Hotel Occupancy Tax Increment. The District hereby designates the entire amount of the District Tax as the District's hotel occupancy tax increment, which is to be deposited in the Trust Fund for the furtherance of economic development projects through reimbursement of costs of economic development projects, and hereby pledges and dedicates to such purpose the hotel occupancy tax increment.

SECTION 7. Notice of Intent. The governing authority of the District hereby ratifies the prior publication of a notice describing the levy of the District Tax and informing the citizens of the date of consideration of this ordinance, said notice having been published once a week for two weeks in *The Natchitoches Times*, the official journal of the City, in the form of notice attached hereto as Exhibit C.

SECTION 8: Authorization of Officers. The Mayor and Clerk of the City are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this ordinance.

SECTION 9: Severability. If any provision of this ordinance shall be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 10: Repealer. All ordinances or resolution, or parts thereof, in conflict herewith are hereby repealed.

SECTION 11: Publication; Effective Date. This ordinance shall be published one time in the official journal of the City, and shall become effective upon approval by the Mayor.

This Ordinance was published in *The Natchitoches Times* on April 28 and May 5, 2011.

\* \* \* \* \*

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2011 by a vote of \_\_\_\_ ayes to \_\_\_\_ nays.

\_\_\_\_\_  
**WAYNE McCULLEN, MAYOR**

\_\_\_\_\_  
**DON MIMS, MAYOR PRO TEMPORE**

Delivered to the Mayor on the \_\_\_\_ day of \_\_\_\_\_, 2011 at \_\_\_\_\_.M.



**EXHIBIT A**

STATE OF LOUISIANA

PARISH OF NATCHITOCHES

I, Debbie Waskom, the duly appointed Registrar of Voters of the Parish of Natchitoches, State of Louisiana, do hereby certify to the City of Natchitoches, State of Louisiana, that there are no qualified electors located in the economic development district known as the "Natchitoches Economic Development District B, State of Louisiana," being an approximately 3,039.98 acre site at the \_\_\_\_\_ intersection of \_\_\_\_\_ and \_\_\_\_\_, having the specific geographical boundaries set forth in the Notice of Intent to levy the hotel occupancy tax.

IN FAITH WHEREOF, witness my signature and official seal of the Registrar of Voters of the Parish of Natchitoches, this \_\_\_\_\_ day of August, 2011.

(SEAL)

/s/ Debbie Waskom

\_\_\_\_\_  
Natchitoches Parish Registrar of Voters

[ORIGINAL ON FILE WITH THE CITY CLERK OF  
THE CITY OF NATCHITOCHES, STATE OF LOUISIANA  
AS AN ATTACHMENT TO ORDINANCE NO. 2011-\_\_\_\_]

**EXHIBIT B**

STATE OF LOUISIANA

PARISH OF NATCHITOCHES

The undersigned chief financial officer of the City of Natchitoches, State of Louisiana (the "City"), do hereby certify that the initial annual baseline collection for the additional hotel occupancy tax of two percent (2.00%) levied in the economic development district known as the "Natchitoches Economic Development District B, State of Louisiana" (the "District"), which is the amount of such designated hotel occupancy taxes collected in the District during the fiscal year of the City most recently completed prior to the establishment of the District, is zero (\$0.00), as such additional hotel occupancy tax was not levied during the previous fiscal year. The monthly baseline collection rate, which is the annual baseline rate divided by twelve (12), is also zero (\$0.00).

IN FAITH WHEREOF, witness my signature and official seal of the City of Natchitoches, State of Louisiana, this \_\_\_\_ day of \_\_\_\_\_, 2011.

(SEAL)

By: /s/  
Title: Chief Financial Officer  
City of Natchitoches

[ORIGINAL ON FILE WITH THE CITY CLERK OF  
THE CITY OF NATCHITOCHES, STATE OF LOUISIANA  
AS AN ATTACHMENT TO ORDINANCE NO. 2011-\_\_]

## EXHIBIT C

[The following notice is to published once a week for two weeks in the official journal of the City of Natchitoches, the first publication to appear at least fourteen days before the public hearing mentioned therein]

### **NOTICE OF INTENTION TO LEVY A TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT B, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN that the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.39, levying an additional two percent (2.00%) hotel occupancy tax ("District Tax") within the confines of the Natchitoches Economic Development District B, State of Louisiana" (the "District") for the purpose of financing economic development projects, as defined in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36 (the "District Tax"). The proceeds of the District Tax will be deposited in a special trust fund to be used for the furtherance of economic development projects all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*).

NOTICE IS HEREBY FURTHER GIVEN that said City Council, acting as the governing authority of both the City and the District, will meet in open and public session on May 12, 2011, at seven o'clock (7:00) p.m., at the Arts Center, 716 Second Street, in Natchitoches, Louisiana, to hear any objections to the levy of the District Tax.

The District is an approximately 3,039.98 acre site in the City of Natchitoches, Louisiana. The boundaries of the District are proposed to be as follows:

Beginning at the northwesterly corner of Tract II as shown on a survey of the Mears Plantation (as shown on a survey by A. J. Brouillette recorded in Map Book 1, page 209 of the records of Natchitoches Parish), which said corner is designated as Point "2" on said survey; thence run South 30 degrees 12 minutes East along the easterly line of property owned by Roy O. Martin Lumber Co., L.P., in Section 56, Township 8 North, Range 7 West to the North line of Section 16, Township 8 North, Range 7 West; thence run in a northwesterly direction along the South line of said Section 56, Township 8 North, Range 7 West to a point where the South line of Section 56 intersects the North line of the Southeast Quarter of the Southwest Quarter of Fractional Section 8; thence run West along the North line of the Southeast Quarter of the Southwest Quarter of Said Section 8 to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 8; thence run South down the East line of the Said Southwest Quarter of the Southwest Quarter of said Section 8 to the North line of Section 17, Township 8 North, Range 7 West; thence run West along the North line of Section 17 and Section 18, Township 8 North, Range 7 West to the Northwest corner of the Northeast Quarter of said Section 18; thence run South along the West line of the Northeast Quarter of Section 18 to the center of said Section 18; thence run East along the South line of the Northeast Quarter of said Section 18 to the West line of Section 17, Township 8 North, Range 7 West, thence run South along the West lines of Sections 17, 20 and 29, Township 8 North, Range 7 West to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 29; thence run East along the South line of the Northwest Quarter of the Northwest Quarter of Section 29 to the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 29; thence run South along the West line of the Southeast Quarter of Northwest Quarter of Section 29 to the Southwest corner of the Southeast Quarter of Northwest Quarter of Section 29; from this point run East along the South line of the North One-Half of Section 29, Township 8 North, Range 7 West to the East line of said Section 29; thence run North along the East line of said Section 29

and Section 20, Township 8 North, Range 7 West, to the Northeast corner of Southeast Quarter of Southeast Quarter of said Section 20; thence run East along the South line of the North One-Half of the Southwest Quarter of Section 21, Township 8 North, Range 7 West to the Southeast corner of the Northeast Quarter of the Southwest Quarter of Said Section 21; thence run North along the centerline of said Section 21 to the South line of Section 16, Township 8 North, Range 7 West; thence run East along the South line of said Section 16 to the Southeast corner of said Section 16; thence run North along the East line of Section 16 and Section 9 to a point where this line intersects the easterly line of Section 56, Township 8 North, Range 7 West, thence northeasterly along the easterly line of Section 56 to a point where this line intersects the right descending bank of Old River; thence in westerly direction along the meanderings of the right descending bank of Old River to the northwesterly corner of Tract II as shown on a survey of the Mears Plantation and the point of beginning.

\* \* \* \* \*

The Mayor stated that Ordinance Number 25 called for a 2% occupancy tax to be levied within three economic development districts, A, B, C, and D. He went on to state that one encompasses the quadrant at the interstate, another is Water Well Road, which was not developed, another is in the downtown economic development district which would be Church Street Inn and would incorporate the new hotel when it was built. He stated that that was to provide for improvements to infrastructure. He said Ducournau Street would be upgraded and new drainage, sidewalks and decorative lighting put in and the re-routing of Ducournau to accommodate the delivery of freight.

The following Ordinance was Introduced by Mr. Nielsen as follows, to-wit:

**ORDINANCE NO. 027 OF 2011**

**AN ORDINANCE LEVYING AN ADDITIONAL HOTEL OCCUPANCY TAX OF TWO PERCENT (2.00%) IN THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT C, STATE OF LOUISIANA (THE "DISTRICT"); DESIGNATING THE FULL AMOUNT OF SUCH ADDITIONAL HOTEL OCCUPANCY TAX AS THE HOTEL OCCUPANCY TAX INCREMENTS IN THE DISTRICT FROM WHICH THE HOTEL OCCUPANCY TAX INCREMENTS WILL BE DETERMINED AND USED TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DESIGNATING THE INITIAL ANNUAL BASELINE COLLECTION RATE AND ESTABLISHING A MONTHLY BASELINE COLLECTION RATE FOR THE DISTRICT; PLEDGING AND DEDICATING SUCH TAX INCREMENTS TO REIMBURSE ECONOMIC DEVELOPMENT COSTS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.**

**WHEREAS**, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

**WHEREAS**, by ordinance adopted on this date the City of Natchitoches, State of Louisiana (the "City") created the Natchitoches Economic Development District C, State of Louisiana (the "District"), in accordance with La. R.S. 33:9038.32; and

**WHEREAS**, La. R.S. 33:9038.39 permits the District to levy a hotel occupancy tax for authorized purposes; and

**WHEREAS**, La. R.S. 33:9038.34(O) provides for the creation of a special trust fund for the furtherance of economic development projects, as defined in the Act, into which the incremental increases in hotel occupancy taxes shall be deposited and loaned, granted, donated, or pledged in furtherance of economic development projects (each Project hereinafter approved being referred to herein as a "Project" or "Projects"); and

**WHEREAS**, in accordance with the Act, the governing authority of the City, in said ordinance creating the District did further create a special trust fund, named the "Natchitoches #1 Economic Development District Trust Fund" (the "Trust Fund") the purpose of which is to fund economic development projects selected by the District in the manner provided by the Act; and

**WHEREAS**, in accordance with La. R.S. 33:9038.39, and in order to finance and fund certain Projects, the governing authority of the City, in its capacity as governing authority of the District, desires levy an additional hotel occupancy tax of two percent (2.00%) in the District and to designate such increase in the hotel occupancy tax as the hotel occupancy tax increment which will be used to reimburse costs of economic development projects as defined in the Act;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Councilmen of the City of Natchitoches, State of Louisiana, acting as the governing authority of the Natchitoches Economic Development District C, State of Louisiana, that:

SECTION 1. Levy of Hotel Occupancy Tax. In accordance with La. R.S. 33:9038.39 and other constitutional and statutory authority supplemental thereto, there is hereby levied in the District, effective \_\_\_\_\_, 2011, a tax of two percent (2.00%), upon the fee or rent for occupancy of hotel rooms located within the District (the "District Tax").

The word "hotel" in this section shall mean and include any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of ten or more guest rooms. "Hotel" does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with hospital or medical clinic providing rooms exclusively for patients and their families.

The District Tax shall be paid by the person who occupies or is entitled to occupancy of the hotel room and shall be paid at the time the rent or fee for occupancy is paid. The word "person" shall have the same definition as that contained in La. R.S. 47:301(8).

The proceeds of the District Tax shall be used to pay the costs of economic development projects, as defined in the Act, particularly in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36.

As provided by La. R.S. 33:9038.39, no election shall be required in connection with the levy of the District Tax, since there are no qualified electors in the District, as certified by the Natchitoches Parish Registrar of Voters by certification attached hereto as Exhibit A.

SECTION 2. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the District Tax, each dealer shall be allowed one percent (1.00%) of the amount of District Tax due and accounted for and remitted to the Tax collector in the form of a deduction in submitting his report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 3. Tax Collector. The District Tax is authorized to be collected by a "Collector" which term shall mean the Natchitoches Tax Commission (the "Collector"). The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the District Tax shall be promptly deposited by the Collector for the account of the District in the Trust Fund, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

SECTION 4. Designation of Baseline Collection Rate. The District Tax levied pursuant to Section 1 above is a new hotel occupancy tax and the full amount thereof is hereby designated by the District to be used in determining the hotel occupancy tax increment pursuant to the Act. The initial annual baseline collection rate for the District, which is the amount of the District Tax collected in the District in the most recent completed fiscal year prior to the establishment of the District, is hereby designated to be zero (\$0.00) (the "Initial Annual Baseline Collection Rate"), as the District Tax was not levied during the most recently completed fiscal year of this governing authority prior to the establishment of the District. The monthly baseline collection rate, which is the initial annual baseline collection rate divided by twelve (12), is hereby designated to be zero (\$0.00) (the "Monthly Baseline Collection Rate").

SECTION 5. Certification of Initial Baseline Collection Rate. The chief financial officer of the City has furnish a certification, attached hereto as Exhibit B, as to the accuracy of the Initial Annual Baseline Collection Rate and Monthly Baseline Collection Rate and is further

authorized to publish such certification in *The Natchitoches Times*, the official journal of the City, one time. If the amounts of the Initial Annual Baseline Collection Rate and the Monthly Baseline Collection Rate are not contested within thirty days after the said publication, then such amounts shall be conclusively presumed to be valid, and no court shall have any jurisdiction to alter or invalidate the designation of the amount of either the initial annual baseline collection rate or the monthly baseline collection rate.

SECTION 6. Designation of Hotel Occupancy Tax Increment. The District hereby designates the entire amount of the District Tax as the District's hotel occupancy tax increment, which is to be deposited in the Trust Fund for the furtherance of economic development projects through reimbursement of costs of economic development projects, and hereby pledges and dedicates to such purpose the hotel occupancy tax increment.

SECTION 7. Notice of Intent. The governing authority of the District hereby ratifies the prior publication of a notice describing the levy of the District Tax and informing the citizens of the date of consideration of this ordinance, said notice having been published once a week for two weeks in *The Natchitoches Times*, the official journal of the City, in the form of notice attached hereto as Exhibit C.

SECTION 8: Authorization of Officers. The Mayor and Clerk of the City are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this ordinance.

SECTION 9: Severability. If any provision of this ordinance shall be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 10: Repealer. All ordinances or resolution, or parts thereof, in conflict herewith are hereby repealed.

SECTION 11: Publication; Effective Date. This ordinance shall be published one time in the official journal of the City, and shall become effective upon approval by the Mayor.

This Ordinance was published in *The Natchitoches Times* on April 28 and May 5, 2011.

\* \* \* \* \*

**AYES:**  
**NAYS:**  
**ABSENT:**  
**ABSTAIN:**

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2011 by a vote of \_\_\_\_ ayes to \_\_\_\_ nays.

\_\_\_\_\_  
**WAYNE McCULLEN, MAYOR**

\_\_\_\_\_  
**DON MIMS, MAYOR PRO TEMPORE**

Delivered to the Mayor on the \_\_\_\_ day of \_\_\_\_\_, 2011 at \_\_\_\_ .M.



corporate limits of the City of Natchitoches; thence North 89 degrees 57 minutes 10 seconds West a distance of 346.67 feet to a point on the Easterly Right-of-Way line of Interstate 49; thence along said right-of-way; thence South 30 degrees 42 minutes 39 seconds East a distance of 1293.84 feet; thence South 37 degrees 55 minutes 01 second East a distance of 140.36 feet; thence South 30 degrees 49 minutes 12 seconds East a distance of 1257.52 feet; thence South 30 degrees 41 minutes 44 seconds East a distance of 202.63 feet; thence North 87 degrees 31 minutes 46 seconds West a distance of 420.22 feet to a point on the Westerly Right-of-Way line of I-49; thence along said Right-of-Way North 30 degrees 36 minutes 29 seconds West a distance of 669.69 feet; thence North 19 degrees 29 minutes 56 seconds West a distance of 102.38 feet; thence North 30 degrees 44 minutes 42 seconds West a distance of 1858.83 feet; thence North 36 degrees 25 minutes 17 seconds West a distance of 234.93 feet; thence North 89 degrees 57 minutes 10 seconds West a distance of 618.35 feet; thence North 0 degrees 07 minutes 01 second West a distance of 864.34 feet; thence North 30 degrees 40 minutes 59 seconds West a distance of 944.28 feet; thence North 39 degrees 12 minutes 50 seconds West a distance of 606.71 feet; thence North 47 degrees 22 minutes 56 seconds West a distance of 365.41 feet; thence South 70 degrees 39 minutes 03 seconds West a distance of 32.47 feet; thence South 33 degrees 28 minutes 50 seconds East a distance of 207.08 feet; thence South 56 degrees 17 minutes 27 seconds West a distance of 658.09 feet; thence North 33 degrees 47 minutes 58 seconds West a distance of 367.83 feet to the South right of way of Highway 6; thence South 67 degrees 19 minutes 55 seconds West a distance of 126.42 feet; thence South 71 degrees 23 minutes 44 seconds West a distance of 304.61 feet; thence South 57 degrees 10 minutes 03 seconds West a distance of 76.79 feet; thence South 56 degrees 08 minutes 43 seconds West a distance of 328.46 feet; thence North 33 degrees 40 minutes 55 seconds West a distance of 42.87 feet; thence South 54 degrees 42 minutes 55 seconds West a distance of 59.43 feet; thence South 33 degrees 00 minutes East a distance of 469.26 feet; thence South 57 degrees 00 minutes West a distance of 330 feet; thence North 33 degrees 00 minutes West a distance of 453.3 feet to the southern right of way of Highway 6; thence South 54 degrees 41 minutes 55 seconds West a distance of 289.59 feet; thence South 54 degrees 41 minutes 55 seconds West a distance of 289.59 feet; thence cross Louisiana Highway No. 6 running North 35 degrees 18 minutes 05 seconds West a distance of 130.0 feet to a point on the Northerly Right-of-Way of Highway 6; thence North 48 degrees 59 minutes 17 seconds East a distance of 100.5 feet; thence North 54 degrees 41 minutes 55 seconds East a distance of 293.49 feet; thence North 35 degrees 4 minutes West a distance of 270 feet; thence South 65 degrees 0 minutes West a distance of 96.8 feet; thence North 3 degrees 10 minutes West a distance of 175.4 feet; thence North 18 degrees 16 minutes West a distance of 75.2 feet; thence North 54 degrees 56 minutes East a distance of 319.1 feet; thence North 35 degrees 4 minutes West a distance of 356.9 feet; thence North 89 degrees 54 minutes East a distance of 595.7 feet; thence North 89 degrees 54 minutes East a distance of 108 feet; thence North 89 degrees 54 minutes East a distance of 128.4 feet; thence North 89 degrees 54 minutes East a distance of 13.6 feet; thence South 43 degrees 13 minutes East a distance of 47.7 feet; thence North 46 degrees 47 minutes East a distance of 300 feet; thence North 46 degrees 47 minutes East a distance of 411.18 feet; thence North 13 degrees 2 minutes 10 seconds West a distance of 196.71 feet; thence North 76 degrees 57 minutes 50 seconds East a distance of 200 feet; thence North 9 degrees 13 minutes 36 seconds West a distance of 245.52; thence North 21 degrees 22 minutes 49 seconds West a distance of 303.83 feet; thence North 30 degrees 39 minutes 48 seconds West a distance of 599.94 feet; thence North 33 degrees 30 minutes 35 seconds West a distance of 200.06 feet; thence North 30 degrees 27 minutes 14 seconds West a distance of 751.51 feet; thence North 0 degrees 06 minutes 45 seconds East a distance of 116.66 feet; thence South 89 degrees 52 minutes East a distance sufficient to intersect Point 11 as shown on a plat of survey by R.E.L. Breedlove, recorded at original instrument number 190626 of the records of Natchitoches Parish, Louisiana, being a point on the eastern right of way of I-49; thence South 89 degrees 52 minutes East a distance of 1398 feet to the western right of way of Highway 504; thence South 5 degrees 56 minutes East a distance of 72.4 feet; thence South 0 degrees 1 minute East a distance of 275 feet; thence South 4 degrees 37 minutes West a distance of 117 feet; thence South 7 degrees 9 minutes West a distance of 200 feet; thence South 15 degrees 5 minutes

West a distance of 113 feet; thence North 70 degrees 32 minutes West a distance of 191.2 feet; thence south 19 degrees 26 minutes West a distance of 274 feet; thence South 79 degrees 25 minutes East a distance of 205.3 feet; thence along the westerly side of Highway 504 a distance sufficient to intersect old Louisiana Highway 6; thence in an easterly direction, along the existing city limits of the City of Natchitoches to that point located on the southerly right of way of old Highway 6 and the eastern right of way of the spur road that connects highway 504 and old Highway 6 to new Highway 6; thence South 47 degrees 22 minutes 21 seconds East a distance of 178.24 feet to a point on the Northerly Right-of-Way of the New Louisiana Highway No. 6; thence North 73 degrees 25 minutes 24 seconds East a distance of 200.00 feet; thence North 45 degrees 19 minutes 39 seconds West a distance of 172.58 feet to a point on a curve to the right having a radius of 11,809.16 and an arc length of 670.53 feet; thence North 76 degrees 19 minutes 00 seconds East a distance of 768.67 feet; thence South 0 degrees 27 minutes 05 seconds East a distance of 138.69 feet to a point on the Northerly Right-of-Way of the New Highway No. 6; thence North 76 degrees 19 minutes 01 second East a distance of 171.91 feet; thence North 80 degrees 36 minutes 21 East a distance of 401.12 feet; thence North 76 degrees 19 minutes 01 seconds East a distance of 300.00 feet; thence North 72 degrees 01 minute 40 seconds East a distance of 144.68 feet; thence North 0 degrees 18 minutes 05 seconds West a distance of 158.49 feet; thence North 76 degrees 19 minutes 00 seconds East a distance of 186.18 feet; thence North 76 degrees 14 minutes 50 seconds East a distance of 1,834.16 feet to a point on the Westerly edge of the Lime Kiln Road; thence North 14 degrees 41 minutes 32 seconds West a distance of 192.83 feet; thence North 78 degrees 18 minutes 28 seconds East a distance of 160.22 feet; thence South 15 degrees 41 minutes 46 seconds East along the Easterly Right-of-Way of the Lime Kiln Road a distance of 187.16 feet; thence North 76 degrees 14 minutes 50 seconds East a distance of 623.86 feet to a point of curvature; thence along a curve to the left having a radius of 2924.05 feet, a delta angle of 54 degrees 06 minutes 37 seconds; an arc length of 735.43 feet; thence South 89 degrees 49 minutes 36 seconds East a distance of 1616.49 feet; thence South a distance sufficient to intersect a point on the southerly right of way of an easement and being located on the existing city limits of the City of Natchitoches; thence westerly along the existing city limits and easement to the point of beginning on the westerly right of way of Lime Kiln Road.

\* \* \* \* \*

Mr. Christopher Sharplin asked if the levees of the 2% are in perpetuity or were they for a certain period of time to cover the cost of improvements or did they intend to keep it forever.

The Mayor stated that it was in perpetuity and that it was to be used for infrastructure and to help with economic development projects.

Mr. Sharplin stated that he understood that but that there would not be a hotel built every year? The Mayor stated that it was not just for hotels but that it was for economic development projects.

Mr. Sharplin asked if they were aware of the consequences of customers not coming here because of the increase of 2% on the taxes and he stated that he wanted to point that out because it was brought up before when the hotel/motel tax was attempted to be raised at one point.

The Mayor stated that they understood that and were very sensitive to the point that they not try to exceed the competition or the other towns around them.

Mr. Sharplin stated that he understood the point but he wanted to make it clear that people do look at the numbers and they do care about the rate but he stated that he was looking forward to seeing the improvements that will be made with the money.

The Mayor stated that that was their intent to make improvements and introduced Mike Busada with Adams and Reese out of New Orleans who drafted the TIF and Economic Development laws for the State of Louisiana.

Ms. Sylvia Morrow stated to Mr. Mike Basada that she turned in a fourth TIF District to the Mayor and would like for him to look at it. She stated that it was in a section of town called West Natchitoches.

Mr. Mike Busada stated that this was a phenomenal city and he loved being here.

The following Ordinance was Introduced by Ms. Morrow and Seconded by Mr. Payne as follows, to-wit:

**ORDINANCE NO. 018 OF 2011**

**AN ORDINANCE AUTHORIZING THE CITY TO SELL 6 DIESEL UNITS LOCATED IN THE DIESEL PLANT BUILDING LOCATED AT THE CITY OF NATCHITOCHES POWER PLANT TO B. JONES, SETTING THE TERMS AND CONDITIONS OF SAME, AND AUTHORIZING THE EXECUTION OF THE ACT OF SALE BY THE MAYOR, WAYNE MCCULLEN, AFTER DUE COMPLIANCE WITH THE LAW, AND FURTHER PROVIDING FOR ADVERTISING OF THE SALE AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Natchitoches (City) is the owner of 6 certain diesel units: being two (2) Nrodberg 1500 kW units, two (2) Hamilton 2760 kW units, one (1) Fairbanks Morse 500 kW unit, and one (1) McIntosh 500 kW unit, together with all associated equipment, cable, transformers, gears, miscellaneous abandoned cable and gears throughout the Diesel Plant Building, and all other property in the Diesel Plant Building not to include mufflers and piping, all of which are located in the Diesel Plant Building at the City of Natchitoches Power Plant, which said diesel units and other above described items will sometimes hereinafter be referred to collectively as “Diesel Units”; and

**WHEREAS FURTHER**, Diesel Units are currently not in use; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches is of the opinion and does find that the Diesel Units are not in use and are not needed for any public purpose and the City Council of the City of Natchitoches does hereby declared the Diesel Units to be surplus property; and

**WHEREAS FURTHER**, the City of Natchitoches has offered the Diesel Units through a Request for Proposals (sometimes hereinafter “RFP”) and the City of Natchitoches received no response to that RFP; and

**WHEREAS FURTHER**, subsequent to the issuance of the RFP, the City of Natchitoches received an offer from B. Jones to purchase the Diesel Units for the sum and price of \$101,000.00; and

**WHEREAS FURTHER**, after reviewing the offer by B. Jones, the Director of Utilities and the Director of Purchasing recommend that the City accept the proposal received from B. Jones; and

**WHEREAS FURTHER**, under the terms of the sale, B. Jones will pay the City the sum of \$101,000.00, for those items identified above, and will remove the items at the expense of B. Jones; and

**WHEREAS FURTHER**, the sale will be an “as is” sale with no representation or warranty as to the condition of the items sold to B. Jones; and

**WHEREAS FURTHER**, the City desires to convey the surplus Diesel Units described above to B. Jones, for the sum and price of \$101,000.00, and under the terms more fully set forth above; and

**WHEREAS FURTHER**, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be sold to any person after due advertisement and compliance with the law; and

**NOW THEREFORE, BE IT ORDAINED** by the City Council in legal session convened as follows:

(1) That the City takes cognizance of finds and declares that the Diesel Units are surplus property not needed for any public purpose.

(2) That after due proceedings and advertisement, the said City does sell the Diesel Units to B. Jones for the sum and price of \$101,000.00, all under the terms more fully set forth above.

(3) That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that Ordinance be posted in the City Hall.

(4) That any opposition to this Ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after posting of the above notice or the first publication of this Ordinance, and that a public hearing be held after the advertisements have been completed.

(5) That the Mayor, Wayne McCullen, be and he is hereby authorized, after due proceedings had, and after the legal delays have run, to execute a bill of sale or other documents necessary to convey the Diesel Units to B. Jones for the consideration of \$101,000.00 under the terms and conditions set forth above.

(6) That the City Clerk be authorized to advertise this proposed sale in accordance with law, i.e., three times in fifteen days, one week apart, and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

**THIS ORDINANCE** was introduced on this the 28<sup>th</sup> day of March, 2011 and advertised in *The Natchitoches Times* on April 1, 8 and 15, 2011.

The above Ordinance having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

<b>AYES:</b>	<b>Morrow, Payne, Nielsen, Mims, McCain</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this 25<sup>th</sup> day of April, 2011 by a vote of 5 ayes to 0 nays.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 26<sup>th</sup> day of April, 2011 at 10:00 A.M.

The following Ordinance was Introduced by Mr. Payne and Seconded by Mr. Mims as follows, to-wit:

**ORDINANCE NO. 019 OF 2011**

**AN ORDINANCE ADOPTING THE BUDGET FOR THE  
CITY OF NATCHITOCHES FOR THE FISCAL YEAR  
JUNE 1, 2011 THROUGH MAY 31, 2012**

**WHEREAS**, the fiscal year of the City of Natchitoches is from June 1 through May 31 of each year; and

**WHEREAS**, a budget has been prepared by the Finance Director, Mr. Patrick Jones, and has been submitted by the Mayor, Wayne McCullen, to the City Council for review and consideration;

**NOW, THEREFORE**, be it ordained that the Natchitoches City Council does hereby adopt the budget for the fiscal year June 1, 2011 through May 31, 2012.

**CITY OF NATCHITOCHES 2011 - 12 FY**

General Fund	\$ 13,594,975
Proprietary Fund (Utility)	\$ 41,806,189
Special and Capital Project Funds	\$ 18,603,474

**BE IT FURTHER ORDAINED**, in accordance with L.R.S. 39:1305, the following specifies the Mayor's authority to make budgetary amendments without approval of the governing authority, as well as those powers reserved solely to the governing authority:

The Home Rule Charter of the City of Natchitoches states in part "... at any time during the fiscal year the mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency. Upon written request by the Mayor, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another..." (Section 5.05 D) Supplemental, emergency, and reductions of appropriations must be submitted to the Council for approval by Ordinance. (Section 5.05 A-C)

This Ordinance was Introduced on the 11th day of April, 2011 and duly published in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

**AYES:**

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** None

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this 25<sup>th</sup> day of April, 2011 by a vote of 5 ayes to 0 nays.

  
**WAYNE McCULLEN, MAYOR**

  
**DON MIMS, MAYOR PRO TEMPORE**

Delivered to the Mayor on the 26<sup>th</sup> day of April, 2011 at 10:00 A.M.

The Mayor stated that as they go into another budget year everyone has heard about the economic down turn in the National and State governments and has filtered down to the local governments. He stated that this had been the most challenging budget he had dealt with in his 32 years of public service and he wanted to commend Mr. Pat Jones, Finance Director, Shawna Straub, Assistant Finance Director, their staff and all department heads for working diligently to present a budget.

Ms. Sylvia Morrow stated that she had some concerns about piloting an after school tutorial program. She stated she had drafted it up and she would bring the program before the Council. She stated that she would like to talk to Mr. Jones about pulling \$25,000 dollars from the budget to host that program. She went on to state that she would bring to the Council some businesses that would help pilot the program.



The following Ordinance was Introduced by Mr. McCain and Seconded by Mr. Nielsen as follows, to-wit:

**ORDINANCE NUMBER 020 OF 2011**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, WAYNE MCCULLEN, TO EXECUTE A CASH SALE DEED FOR THE PURCHASE OF A 3,609 SQUARE FOOT TRACT LOCATED ON THE EAST SIDE OF SECOND STREET, CITY OF NATCHITOCHES, FROM CITY BANK & TRUST COMPANY FOR THE CONSIDERATION OF TWENTY-FIVE THOUSAND FIVE HUNDRED FORTY-FIVE DOLLARS, TO PROVIDE FOR ADVERTISING, AND A SAVINGS CLAUSE.**

**WHEREAS**, the City of Natchitoches, Louisiana, (sometimes hereinafter City) in cooperation with various other governmental agencies has developed of an events center between Second Street and Third Street; and

**WHEREAS FURTHER**, the City has requested proposals for the development of a hotel which would support the events center; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches is of the opinion that the events center and proposed hotel are important additions to the downtown historic district of the City of Natchitoches, and the City Council desires to facilitate the project; and

**WHEREAS FURTHER**, the successful respondent to the request for proposals for the development of a hotel has requested that Ducournau Street be relocated in order to improve the footprint of the proposed hotel site; and

**WHEREAS FURTHER**, there is a tract of land, owned by City Bank & Trust Company located on the East side of Second Street, which bounded on the East by Ducournau Street and which said tract of land is currently available for acquisition, and is situated so that it would allow for a rerouting of traffic from the abandoned portion of Ducournau Street; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches desires to purchase the tract of land located on the East side of Second Street owned by City Bank & Trust Company; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches is of the opinion that it is in the interest of the City to purchase of the tract of land and desires to authorize Mayor Wayne McCullen to execute a purchase agreement, a deed and all associated documents; and

**WHEREAS FURTHER**, the City of Natchitoches has received an appraisal from a certified appraiser, reflecting a value of Thirty-Two Thousand and no/100 (\$32,000.00) Dollars; the appraised value includes the value of land being purchased by the City in fee simple, an additional 1,148 square foot area which will be included in an easement and the improvements located in both the fee simple and easement area; and

**WHEREAS FURTHER**, the property owner has agreed to accept the sum of Twenty-Five Thousand Five Hundred Forty-Five and no/100 (\$25,545.00) Dollars cash as compensation for the property being taken in fee simple and an additional Four Thousand Five Hundred Ninety-Two and no/100 (\$4,592.00) Dollars cash as compensation for the property which will be subject to the easement, and

**WHEREAS FURTHER**, the Mayor and City Council take cognizance of the fact that the tract of land located on the East side of Second Street, allows for placement of a right of way from Second Street to Ducournau Street and can be developed to replace the portion of Ducournau Street to be abandoned, and whereas the tract of land has been appraised for the

purchase price; therefore, the Council deems it to be in the best interest of the **CITY** to so acquire the property; and

**WHEREAS FURTHER**, the Mayor and City Council have studied the matter and have concluded that the acquisition of the tract of land located to the East of Second Street would be in the best interest of the **CITY**, its citizens, and the general public; and

**NOW THEREFORE BE IT ORDAINED** by the City Council in regular session convened as follows:

**I.** That the Honorable Mayor, Wayne McCullen, be and he is hereby authorized and empowered to execute a purchase agreement, and Cash Sale Deed on behalf of the **CITY**, all in accordance with the general terms and conditions set forth in this Ordinance. The said Mayor is hereby given full and complete authority to incorporate in said instrument such terms, conditions, and agreements as may be necessary to protect the interest of the **CITY** in substantial compliance with the general terms and conditions set forth in this Ordinance.

**II.** That the City Council takes cognizance of the appraisal reflecting an appraised value in excess of the purchase price of Twenty-Five Thousand Five Hundred Forty-Five and no/100 (\$25,545.00) Dollars, and agrees that the City will pay Twenty-Five Thousand Five Hundred Forty-Five and no/100 (\$25,545.00) Dollars.

**III.** That the Mayor be and he is hereby authorized to have all of the necessary legal documents and instruments prepared at once and that this transaction be closed as soon as this Ordinance is final.

**IV.** That if any part of this Ordinance is for any reason held to be unconstitutional or invalid, by a Court of competent Jurisdiction, such decision shall not effect the validity of the remaining portions of this Ordinance, and the invalidity shall be limited to that specific portion so declared to be invalid.

**V.** That this Ordinance shall go into effect immediately after publication according to law.

**VI.** That all Ordinances in conflict herewith are hereby repealed.

**VII.** That this Ordinance be advertised in accordance with law.

**VIII.** That this Ordinance be declared **INTRODUCED** at a Regular Meeting of the City Council on this the 11<sup>th</sup> day of April, 2011, and that a public hearing be called for at the next regular meeting of the City Council which will be held on the 25<sup>th</sup> day of April, 2011.

**AYES:** McCain, Nielsen, Mims, Morrow, Payne

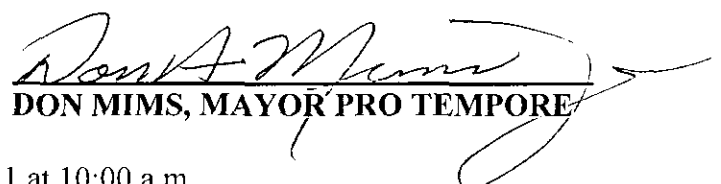
**NAYS:** None

**ABSENT:** None

**ABSTAIN:** None

Thereupon, the Mayor declared the Ordinance passed by a vote of 5 ayes to 0 nays, on this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 26<sup>th</sup> day of April 2011 at 10:00 a.m.

## EXHIBIT "A"

That certain lot of ground, together with all buildings and improvements located thereon, situated in the City and Parish of Natchitoches, Louisiana, being 3,609 square feet, more or less, located on the Eastern right of way of Second Street, having a front of 28.05 feet on the East side of Second Street, bounded, now or formerly, on the North by property of Stamey and Miller, on the East by Ducournau Street, on the South by property of City Bank & Trust Company and on the West by Second Street, being more fully shown and depicted as Tract "1" on a plat of survey by Robert Lynn Davis, P.L.S., dated April 6, 2011, and described thereon as follows, to-wit:

From a found ½ inch iron rod at the intersection of the northernmost right of way of Horn Street and the easternmost right of way of Ducournau Street, thence North 81 degrees 21 minutes West a distance of 30.07 feet; thence North 9 degrees 26 minutes 35 seconds East a distance of 102.02 feet to the point of beginning of the tract herein described, thence from the point of beginning run North 49 degrees 29 minutes 25 seconds West a distance of 34.22 feet; thence North 81 degrees 13 minutes 23 seconds West a distance of 101.92 feet; thence South 56 degrees 17 minutes 50 seconds West a distance of 6.22 feet; thence North 8 degrees 24 minutes 25 seconds East a distance of 28.05 feet; thence North 81 degrees 46 minutes 43 seconds East a distance of 136.30 feet; thence South 9 degrees 26 minutes 35 seconds West a distance of 43.18 feet to the point of beginning.

# CASH SALE DEED

STATE OF LOUISIANA

PARISH OF NATCHITOCHES

**BE IT KNOWN**, That this day before me, the undersigned Notary Public, in and for said Parish, duly commissioned and sworn, came and appeared:

**City Bank & Trust Company**, a Louisiana banking company, authorized to do and doing business in the State of Louisiana, domiciled in Natchitoches Parish, Louisiana, with mailing address of 146 Rue St. Denis, Natchitoches, Louisiana 71457, represented herein by its President, Joe Pierson,  
(Sometimes hereinafter referred to as "**SELLER**")

who declared that it does by these presents, **GRANT, BARGAIN, SELL, SET OVER, TRANSFER, CONVEY AND DELIVER**, with all legal warranties and full guarantee of title, and with complete transfer and subrogation of all rights and actions of warranty against all former proprietors of the property herein conveyed, together with all rights of prescription, whether acquisitive or liberative, unto:

**CITY OF NATCHITOCHES, LOUISIANA**, a municipal corporation, with mailing address of Post Office Box 37, Natchitoches, Louisiana, 71458-0037, represented herein by Mayor Wayne McCullen, duly authorized to act herein pursuant to Ordinance No. 20 of 2011, a copy of which is attached hereto (Sometimes hereinafter referred to as "**BUYER**")

the following described property, to-wit:

That certain lot of ground, together with all buildings and improvements located thereon, situated in the City and Parish of Natchitoches, Louisiana, being 3,609 square feet, more or less, located on the Eastern right of way of Second Street, having a front of 28.05 feet on the East side of Second Street, bounded, now or formerly, on the North by property of Stamey and Miller, on the East by Ducournau Street, on the South by property of City Bank & Trust Company and on the West by Second Street, being more fully shown and depicted as Tract "1" on a plat of survey by Robert Lynn Davis, P.L.S., dated April 6, 2011, and described thereon as follows, to-wit:

From a found ½ inch iron rod at the intersection of the northernmost right of way of Horn Street and the easternmost right of way of Ducournau Street, thence North 81 degrees 21 minutes West a distance of 30.07 feet; thence North 9 degrees 26 minutes 35 seconds East a distance of 102.02 feet to the point of beginning of the tract herein described, thence from the point of beginning run North 49 degrees 29 minutes 25 seconds West a distance of 34.22 feet; thence North 81 degrees 13 minutes 23 seconds West a distance of 101.92 feet; thence South 56 degrees 17 minutes 50 seconds West a distance of 6.22 feet; thence North 8 degrees 24 minutes 25 seconds East a distance of 28.05 feet; thence North 81 degrees 46 minutes 43 seconds East a distance of 136.30 feet; thence South 9 degrees 26 minutes 35 seconds West a distance of 43.18 feet to the point of beginning. (Sometimes hereinafter referred to as "Subject Property")

**TO HAVE AND TO HOLD** said described property unto said purchaser, its heirs, successors and assigns, forever.

This sale is made for the consideration of **Twenty-Five Thousand Five Hundred Forty-Five and no/100 (\$25,545.00) Dollars**, cash in hand paid, the receipt of which is hereby acknowledged.

The certificate of mortgage is hereby waived by the parties. Taxes are prorated as of the date of this sale.

It is expressly agreed that the immovable property herein conveyed and all improvements and component parts, plumbing, electrical systems, mechanical equipment, heating and air conditioning systems, built-in appliances, and all items located hereon are conveyed by Seller and accepted by Purchaser "AS IS, WHERE IS," without any warranties of any kind whatsoever, even as to the metes and bounds, zoning, operations, or suitability of the property for the use intended by the Purchaser, without regard to the presence of apparent or hidden defects and with the Purchaser's full and complete waiver of any and all rights for the return of all or any part of the purchase price by reason of any such defects.

Purchaser acknowledges and declares that neither the Seller nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of the Seller has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, or upon which the Purchaser has relied, concerning the existence or non-existence of any quality, characteristic or condition of the property herein conveyed. Purchaser has had full, complete and unlimited access to the property herein conveyed for all tests and inspections which Purchaser, in Purchaser's sole discretion, deems sufficiently diligent for the protection of Purchaser's interest.

Purchaser expressly waives the warranty of fitness and the warranty against redhibitory vice and defects, whether apparent or latent, imposed by Louisiana Civil Code Articles 2520 through 2548, inclusive, and any other applicable state or federal law and the jurisprudence thereunder.

Purchaser also waives any right Purchaser may have in redhibition to a return of the purchase price or to a reduction of the purchase price paid pursuant to Louisiana Civil Code Articles 2520 to 2548, inclusive, in connection with the property hereby conveyed to Purchaser by Seller. By Purchaser's signature, Purchaser expressly acknowledges all such waivers and Purchaser's exercise of Purchaser's right to waive warranty pursuant to Louisiana Civil Code Article 2520 and 2548, inclusive.

For and in consideration of the sum and price of \$1.00, paid herewith, receipt of which is hereby acknowledged and other valuable consideration, the said **BUYER** grants unto the **SELLER** the exclusive right, privilege, or option to purchase the Subject Property for sum and price of **Twenty-Five Thousand Five Hundred Forty-Five and no/100 (\$25,545.00) Dollars**. This option may be exercised by the **SELLER**, in the event that the **BUYER**, has not constructed a hard surfaced road on the Subject Property within eighteen months of the execution of this instrument.

In the event that the **BUYER** desires to exercise the option herein granted, it shall send a registered letter addressed to **SELLER**, at the above address, expressing its desire to exercise the option. In such an event, the act of sale of the Subject Property shall be passed before **BUYER'S** Notary Public at the cost of the **BUYER** within sixty (60) days of the date of the posting of said registered letter exercising the option.

THUS DONE AND PASSED by the Seller on this the 28 day of April, 2011, in the presence of the undersigned Notary Public and subscribing witnesses, at Natchitoches, Parish of Natchitoches, State of Louisiana.

**WITNESSES:**

**City Bank & Trust Company**

Mandy Pearson  
Witness Signature

Mandy Pearson  
Printed Witness Name

Carol S. Steinman  
Witness Signature

CAROL S. STEINMAN  
Printed Witness Name

Joe Pierson  
By: Joe Pierson, President and CEO  
TIN: xx-xxx

**CITY OF NATCHITOCHES**

Wayne McCullen  
By: Wayne McCullen, Mayor

[Signature]  
Notary Public  
Notary No. 20307

The following Ordinance was Introduced by Mr. Nielsen and Seconded by Mr. Mims as follows, to-wit:

**ORDINANCE NUMBER 021 OF 2011**

**AN ORDINANCE TO AMEND AND REENACT SECTIONS 31-43 AND 31-44 OF CHAPTER 31 OF THE CODE OF ORDINANCES, ENTITLED VEHICLES FOR HIRE SAID AMENDMENT BEING MADE TO AMEND AND UPDATE THE CODE OF ORDINANCES TO PROVIDE FOR A FLAT RATE FOR THE HIRE OF TAXICABS IN THE CITY OF NATCHITOCHES, LOUISIANA, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.**

**WHEREAS**, the City of Natchitoches provides for the regulation of Vehicles for Hire in Chapter 31 of the Code of Ordinances of the City of Natchitoches, and specifically provides for the regulation of taxicabs in Article II, more specifically Sections 31-16 through 31-69 of the Code of Ordinances of the City of Natchitoches, Louisiana; and

**WHEREAS FURTHER**, the City of Natchitoches has received interest from a prospective taxicab service to operate in the City of Natchitoches who desires to offer a flat rate for service within the City of Natchitoches; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches desires to amend and reenact Article II of Chapter 31, specifically Sections 31-43 and 31-44, in order to allow a flat rate for taxicab service in the City of Natchitoches; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches has reviewed the proposed changes and new section and agrees that the adoption is advisable and in the best interest of the City of Natchitoches and its citizens; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Natchitoches, Louisiana, as follows:

**SECTION 1.** Sections 31-43 and 31-J44 of the Code of Ordinances of the City of Natchitoches are hereby amended and reenacted to read as follows:

**“Sec. 31-43. Taxicab fares.**

(a) ***Metered rates.*** Taxicabs operating as metered taxicabs shall be governed by the following rules.

(1) The metered taxicab rates for taxicabs operating in the city shall be as follows:

- (A) For the first one-sixth mile or fraction thereof.....\$1.50.
- (B) For each additional one-sixth mile or fraction thereof..... \$0.25.
- (C) When a taxicab is required to wait at the request of the passenger, the charge therefor shall be \$12.00 per hour for such waiting time.
- (D) An additional hazard fee of \$1.00 per trip may be charged between the hours of 12:00 midnight and 5:00 a.m.

(2) How rates are applied.

- (A) The rates set out in this section shall apply up to and including five passengers, where the point of origination and point of destination of such passengers is the same. It shall also apply to the first 50 pounds of ordinary traveling baggage conveyed with each such passenger.
- (B) When all passengers are members of the same group or party and originate from the same point and go to the same destination, or when the original passenger directs the driver to pick up or discharge others in the same group or party, all passengers up to the maximum number specified in this section shall be transported for the metered fare as authorized in this section.
- (C) When one or more additional groups consisting of one or more passengers share the same taxicab, the fare charged shall be the metered fare. The driver shall reset the meter upon the discharging of each group. Additional passengers may be picked up at the beginning of any trip or en route only if such pickup is acceptable to the initial passenger or group employing the taxicab.

(3) Overcharging. Except for the hazard fee authorized in this section, no driver of any taxicab shall charge more for the use of such taxicab than is shown on the taximeter thereon.

(4) Written receipt upon demand. The driver or operator of any vehicle used in taxicab service shall, upon the demand of the passenger, give such passenger a written receipt showing the time and the date, and the point from which and to where the passenger was hauled, and the amount charged therefor.

(5) Flat rate or charge for metered taxicab. Nothing in this section shall prohibit metered taxicabs from being operated for a flat rate or charge, provided that no such charge shall be greater than the amount which would be charged for the same service calculated at metered rates, and further provided that such flat rate or charge be



mutually agreed upon between the operator and party responsible for payment of the fare prior to the beginning of the service.

(b) *Flat rate fares.* Taxicabs operating as flat rate taxicabs shall be governed by the following rules.

(1) As an alternative to the metered rates provided for above, a taxicab operating in the city may charge a flat rate of \$6.00 per fare for each pick up and delivery. The flat rate of \$6.00 is for one person, and an additional charge of \$2.00 for each additional person in a group may be added to the fare. When one or more additional groups consisting of one or more passengers share the same taxicab, the driver may charge an additional \$6.00 fare per pickup or delivery.

(2) Additional passengers may be picked up at the beginning of any trip or in route only if such pickup is acceptable to the initial passenger or group employing the taxicab.

(3) Overcharging. Except for the hazard fee authorized in this section, no driver of any taxicab shall charge more for the use of such taxicab than is provided for under the flat rate fee set forth above.

(4) Written receipt upon demand. The driver or operator of any vehicle used in taxicab service shall, upon the demand of the passenger, give such passenger a written receipt showing the time and the date, and the point from which and to where the passenger was hauled, and the amount charged therefor.

(c) A taxicab must operate either as a metered rate taxicab, or a flat rate taxicab.

**Sec. 31-44. Taximeters.**

(a) Every metered rate taxicab licensed under the terms of this article and engaged in furnishing taxicab service for a fare shall be equipped with a taximeter attached to each vehicle to measure the distance traveled, record the time the vehicle is in waiting and to record the charge or fare therefor in an accurate manner.

(b) The dial of such taximeter shall show but one tariff, which shall be registered in accordance with the rate prescribed in this article.

(c) Every taximeter shall be connected with and operated from the front wheel or axle and/or transmission of the taxicab to which it is attached. Every vehicle operated in metered fare taxicab service shall, during the period between sunset and sunrise, be equipped with a light which shall be so reflected upon the dial of the taximeter as to enable the passengers using the taxicab to read the figures indicated thereon.

(d) No person shall offer any vehicle for hire in metered taxicab service within the city for a fare, charge or fee based on distance or time unless the taximeter placed, attached or installed thereon shall have been inspected by the chief of police or his designee, and no such person shall detach any certified or inspected taximeter from any taxicab and attach such taximeter to any other vehicle, the front wheels of which are of different diameter from those of the vehicle upon which the taximeter was originally tested, unless a new inspection is made of such taximeter.

(e) It shall be the duty of the chief of police to examine and inspect, or order an examination and inspection to be done by a competent person, at least once in each year, all taximeters used in the city. If at any time a complaint is made to the chief of police that any taximeter registers inaccurately or improperly, then the chief of police shall order that the taximeter be tested and that it be removed from service if it is found to be registering inaccurately or improperly until such time as these errors are corrected. It shall be unlawful for any owner or person to permit the use of such taximeter until repairs have been made and it has passed a subsequent inspection by the chief of police or his designee.

(f) It shall be the duty of every driver or operator of every vehicle used in metered taxicab service, at the termination of his service, to throw the flag to the nonrecording position on the taximeter and call the passenger's attention to the amount registered. The taximeter shall not be changed until after the fare is paid or a charge ticket therefor made out and delivered to the person hiring such vehicle.

(g) No driver or operator of any vehicle used in metered taxicab service shall permit any passenger to ride thereon or therein with the flag on the taximeter up or toward a vertical position and no person shall tamper with, mutilate or break any taximeter with

the intention of causing the taximeter to register improperly or incorrectly or inaccurately.”

**SECTION 2.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 3.** If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the City Council that each separate provision shall be deemed independent of all other provisions herein.

**SECTION 4.** This Ordinance shall go into effect upon publication and in accordance with law.

Said Ordinance having been introduced on the 11<sup>th</sup> day of April, 2011, notice of public hearing having been held, the title having been read and the Ordinance considered, on motion by Mr. Nielsen, and seconded by Mr. Mims, to adopt the Ordinance, a record vote was taken and the following result was had:

<b>AYES:</b>	<b>Nielsen, Mims, McCain, Morrow, Payne</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this 25<sup>th</sup> day of April, 2011 by a vote of 5 ayes to 0 nays.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 26<sup>th</sup> day of April, 2011 at 10:00 A.M.

Mr. Gerard Welcome stated that he was trying to start a taxi service in Natchitoches and stated that there were disabled people that cannot get around the city and he is answering people's prayers by starting a taxi service.

The following Ordinance was Introduced by Mr. Mims and Seconded by Ms. Morrow as follows, to-wit:

**ORDINANCE NO. 022 OF 2011**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, LOUISIANA, WAYNE MCCULLEN, TO ENTER INTO AND EXECUTE AN EASEMENT AND SERVITUDE OVER AND ACROSS THE PROPERTY OF CITY BANK & TRUST COMPANY LOCATED IN THE BLOCK BOUNDED BY SECOND STREET, HORN STREET, LAFAYETTE STREET, AND DUCOURNAU STREET SETTING THE CONSIDERATION, AND OTHER TERMS, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.**

**WHEREAS**, the City of Natchitoches has negotiated to acquire an easement and servitude for traffic across property owned by City Bank & Trust Company (more fully depicted on a survey by Robert Lynn Davis, Exhibit "A" and described on Exhibit "B"), for the purpose of allowing the City of Natchitoches and its assigns (specifically tractor trailers making deliveries to properties along Ducournau Street) to have access and the rights of ingress and egress across the easement area; and

**WHEREAS FURTHER**, the City of Natchitoches has received an appraisal from a certified appraiser, reflecting a value of Thirty-Two Thousand and no/100 (\$32,000.00) Dollars; the appraised value includes the value of land being purchased by the City in fee simple, an additional 1,148 square foot area which will be included in an easement and the improvements located in both the fee simple and easement area; and

**WHEREAS FURTHER**, the property owner has agreed to accept the sum of Twenty-Five Thousand Five Hundred Forty-Five and no/100 (\$25,545.00) Dollars cash as compensation for the property being taken in fee simple and an additional Four Thousand Five Hundred Ninety-Two and no/100 (\$4,592.00) Dollars cash as compensation for the property which will be subject to the easement, and

**WHEREAS FURTHER**, City Bank & Trust Company has agreed to grant the easement and servitude in exchange for and in consideration of Four Thousand Five Hundred Ninety-Two

(\$4,592.00) dollars, and the agreement of the City of Natchitoches to replace and or repair improvements that are damaged or removed during the relocation of Ducournau Street; and

**WHEREAS FURTHER**, as additional consideration, the City of Natchitoches has agreed to hold harmless and defend City Bank & Trust Company for any damage or injury that might occur during the construction of the new right of way of Ducournau Street, or that might occur during the use of the easement area, and to maintain the easement; and

**WHEREAS FURTHER**, a copy of the easement and right of way is attached hereto and made a part hereof (including a survey depicting the area over which the right of way will be taken), which said easement and right of way has been approved by the City Council; and

**NOW THEREFORE, BE IT ORDAINED** that the City Council of the City of Natchitoches takes cognizance of the appraisal and approves of the cash consideration, in the amount of Four Thousand Five Hundred Ninety-Two (\$4,592.00) dollars, to be paid for the easement area, as well as the other consideration set forth above.

**BE IT FURTHER ORDAINED**, be it ordained that the Honorable Wayne McCullen, Mayor of the City of Natchitoches, is hereby authorized to execute the easement and right of way on behalf of the City of Natchitoches.

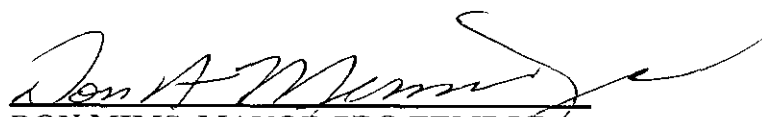
**BE IT FURTHER ORDAINED** that the City Council takes cognizance of the fact that the purpose of this right of way agreement is to acquire rights to the property needed by the City for the placement of improvements that will allow freight deliveries to Ducournau Street.

The above Ordinance having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

<b>AYES:</b>	<b>Mims, Morrow, Payne, Nielsen, McCain</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this 25<sup>th</sup> day of April, 2011 by a vote of 5 ayes to 0 nays.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 26<sup>th</sup> day of April, 2011 at 10:00 A.M.

### **Exhibit "B"**

That certain lot of ground, together with all buildings and improvements located thereon, situated in the City and Parish of Natchitoches, Louisiana, being 1,148 square feet, more or less, located on the western right of way of Ducournau Street,, being more fully shown and depicted as Tract "2" on a plat of survey by Robert Lynn Davis, P.L.S., dated April 6, 2011, and described thereon as follows, to-wit:

From a found ½ inch iron rod at the intersection of the northernmost right of way of Horn Street and the easternmost right of way of Ducournau Street, thence North 81 degrees 21 minutes West a distance of 30.07 feet; thence North 9 degrees 26 minutes 35 seconds East a distance of 71.68 feet to the point of beginning of the tract herein described, thence from the point of beginning run North 80 degrees 33 minutes 25 seconds West a distance of 29.31 feet; thence North 9 degrees 26 minutes 35 seconds West a distance of 50 feet; thence South 49 degrees 29 minutes 25 seconds East a distance of 43.22 feet; thence South 9 degrees 26 minutes 35 seconds West a distance of 30.34 feet to the point of beginning.

**STATE OF LOUISIANA**

**PARISH OF NATCHITOCHES**

**EASEMENT AND AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS** that before the undersigned Notary Public and competent subscribing witnesses, at the place and on the date hereinafter indicated personally came and appeared:

**City Bank & Trust Company**, a Louisiana banking company, authorized to do and doing business in the State of Louisiana, domiciled in Natchitoches Parish, Louisiana, with mailing address of Rue St. Denis, Natchitoches, Louisiana 71457, represented herein by its President, Joe Pierson,

(Sometimes hereinafter referred to as "**Grantor**" or "**Bank**")

and

**CITY OF NATCHITOCHES, LOUISIANA**, a municipal corporation, with mailing address of Post Office Box 37, Natchitoches, Louisiana, 71458-0037, represented herein by Mayor Wayne McCullen, duly authorized to act herein pursuant to Ordinance No. 22 of 2011, a copy of which is attached hereto

(hereinafter sometimes referred to as "**City**");

**WHEREAS**, there is a tract of land, owned by City Bank & Trust Company located on the East side of Second Street, which bounded on the East by Ducournau Street and which said tract of land is currently available for acquisition, and is situated so that it would allow for a rerouting of traffic from the abandoned portion of Ducournau Street; and

**WHEREAS FURTHER**, by separate instrument, City has acquired a 3,609 square foot area for the location of the proposed right of way, but is in need of an additional easement area in order to provide a sufficient area to allow freight deliveries to Ducournau Street; and

**WHEREAS FURTHER**, Bank has agreed to grant an easement and servitude over an additional 1,148 square foot area, which said area is shown and depicted as Tract "2" on a survey by Robert Lynn Davis, dated April 6, 2011, a copy of which is attached hereto as Exhibit "A", and which area is more fully described as follows, to-wit:

That certain lot of ground, together with all buildings and improvements located thereon, situated in the City and Parish of Natchitoches, Louisiana, being 1,148 square feet, more or less, located on the western right of way of Ducournau Street,, being more fully shown and depicted as Tract "2" on a plat of survey by Robert Lynn Davis, P.L.S., dated April 6, 2011, and described thereon as follows, to-wit:

From a found ½ inch iron rod at the intersection of the northernmost right of way of Horn Street and the easternmost right of way of Ducournau Street, thence North 81 degrees 21 minutes West a distance of 30.07 feet; thence North 9 degrees 26 minutes 35 seconds East a distance of 71.68 feet to the point of beginning of the tract herein



described, thence from the point of beginning run North 80 degrees 33 minutes 25 seconds West a distance of 29.31 feet; thence North 9 degrees 26 minutes 35 seconds West a distance of 50 feet; thence South 49 degrees 29 minutes 25 seconds East a distance of 43.22 feet; thence South 9 degrees 26 minutes 35 seconds West a distance of 30.34 feet to the point of beginning.

**WHEREAS FURTHER**, the easement and servitude shall be a right of passage for ingress and egress in favor of the City and the persons utilizing the new right of way being developed on Tract "1" as shown on the survey by Robert Lynn Davis, dated April 6, 2011, a copy of which is attached hereto as Exhibit "A", and further shall be predial in nature in favor of the tracts located between Front Street, Horn Street, Ducournau Street, and South of the property currently owned by the City; and

**NOW THEREFORE**, Grantor declares that in accordance with the above, and in exchange for the consideration of Four Thousand Five Hundred Ninety-Two and no/100 (\$4,592.00) Dollars, Grantor does hereby grant, give and convey unto City a perpetual right of way, predial servitude and easement of passage over and across Grantor's property, and more particularly, over and across the following described property, to-wit:

That certain lot of ground, together with all buildings and improvements located thereon, situated in the City and Parish of Natchitoches, Louisiana, being 1,148 square feet, more or less, located on the western right of way of Ducournau Street,, being more fully shown and depicted as Tract "2" on a plat of survey by Robert Lynn Davis, P.L.S., dated April 6, 2011, and described thereon as follows, to-wit:

From a found ½ inch iron rod at the intersection of the northernmost right of way of Horn Street and the easternmost right of way of Ducournau Street, thence North 81 degrees 21 minutes West a distance of 30.07 feet; thence North 9 degrees 26 minutes 35 seconds East a distance of 71.68 feet to the point of beginning of the tract herein described, thence from the point of beginning run North 80 degrees 33 minutes 25 seconds West a distance of 29.31 feet; thence North 9 degrees 26 minutes 35 seconds West a distance of 50 feet; thence South 49 degrees 29 minutes 25 seconds East a distance of 43.22 feet; thence South 9 degrees 26 minutes 35 seconds West a distance of 30.34 feet to the point of beginning. (Sometimes hereinafter "Easement Area").

The right of way, predial servitude and easement of passage shall be in favor of the City of Natchitoches and the persons utilizing the new right of way being developed on Tract "1" as shown on the survey by Robert Lynn Davis, dated April 6, 2011, a copy of which is attached hereto as Exhibit "A", and further shall be predial in nature in favor of the tracts located between Front Street, Horn Street, Ducournau Street, and South of the property currently owned by the City.

Grantor does further agree and acknowledge that the area over which the Perpetual Predial Servitude of Passage and Easement is granted shall not be impeded in any way, including but not limited to placement of any guide or guy wires, utility poles, or any other improvements or structures that could impede or interrupt continuous access the easement area.

The Grantee shall have the right to make improvements within the Easement Area that are associated with its use under this easement, but shall be responsible for repairing any damage caused to the remaining property of the Bank during such construction. City specifically shall further pour back and replace any portion of the Bank parking lot surface or curb removed or damaged and connect the remaining Bank parking lot surface and curbing with the any surface placed withing the Easement Area.

It is understood and agreed that the continued existence of this Easement is conditioned on the completion of certain improvements within the Easement Area and the adjoining lot that the City is acquired in fee simple. In the event that the City does not complete the construction of a hard surface road within the Easement Area and the adjoining lot that the City is acquiring in fee simple within eighteen months, then in that event the easement shall be null and void upon the return of the consideration of Four Thousand Five Hundred Ninety-Two and no/100 (\$4,592.00) Dollars by Grantor to the Grantee.

The above easement does not convey any interest whatsoever to the oil, gas and other minerals, in, on, or under in the above described property.

**STATE OF LOUISIANA**

**PARISH OF NATCHITOCHES**

**THUS DONE AND PASSED** by the Seller on this the 28 day of April, 2011, in the presence of the undersigned Notary Public and subscribing witnesses, at Natchitoches, Parish of Natchitoches, State of Louisiana.

**WITNESSES:**

Mandy Pearson  
Witness Signature

Mandy Pearson  
Printed Witness Name

Carol S. Steadman  
Witness Signature

Carol S. Steadman  
Printed Witness Name

**City Bank & Trust Company**

[Signature]  
By: Joe Pierson, President and CEO  
TIN: xx-xxx

**CITY OF NATCHITOCHES**

Wayne McCullen  
By: Wayne McCullen, Mayor

[Signature]  
Notary Public  
Notary No. 20307

The following Resolution was Introduced by Mr. McCain and Seconded by Mr. Nielsen as follows, to-wit:

**RESOLUTION NO. 029 OF 2011**

**A RESOLUTION AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO LEVY AN ADDITIONAL TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT A FOR THE PURPOSE OF FINANCING ECONOMIC DEVELOPMENT PROJECTS UNDER THE AUTHORITY OF PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (LA. R.S. 33:9038.31 *ET SEQ.*); AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

**WHEREAS**, the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council"), through a previously adopted ordinance, has availed itself of the Act by creating an economic development district called the "Natchitoches Economic Development District A, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32; and

**WHEREAS**, in accordance with the Act, the governing authority of the City, in said ordinance creating the District did further create a special trust fund, named the "Natchitoches #1 Economic Development District Trust Fund" (the "Trust Fund") the purpose of which is to fund economic development projects selected by the District in the manner provided by the Act; and

**WHEREAS**, in accordance with La. R.S. 33:9038.39, and in order to finance and fund certain Projects, the City Counsel, in its capacity as governing authority of the District, desires to levy an additional hotel occupancy tax of two percent (2.00%) within the confines of the District and to designate such increase in the hotel occupancy tax as the hotel occupancy tax increment which will be used to reimburse costs of economic development projects as defined in the Act; and

**WHEREAS**, in accordance with the Act, particularly La. R.S. 33:9038.39, the City Council has introduced an ordinance this day levying an additional two percent (2.00%) hotel occupancy tax within the confines of the District and now desires to give notice of its intention and to hold a public hearing relative to the proposed levying of an additional two percent (2.00%) hotel occupancy tax, including a description of the boundaries of the District and containing a map showing the boundaries of the District, which notice shall be published once a week for two weeks in the City's official journal, the first publication to appear at least fourteen days before the public hearing mentioned therein;

**NOW THEREFORE, BE IT RESOLVED** by the by the Mayor and Councilmen of the City of Natchitoches, State of Louisiana, that:

**SECTION 1. Intention to Levy a Hotel Occupancy Tax.** In accordance with the Act, and particularly La. R.S. 33:9038.39, this governing authority does hereby give notice of its intention to levy an additional two percent (2.00%) hotel occupancy tax within the confines of the Natchitoches Economic Development District A, State of Louisiana.

SECTION 2. Notice of Intention. The City Clerk is authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published once a week for two weeks in the City Council's official journal, the first publication to appear at least fourteen days before the public hearing mentioned therein:

\* \* \* \* \*

**NOTICE OF INTENTION TO LEVY  
A TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE  
CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT  
DISTRICT A, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN that the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.39, levying an additional two percent (2.00%) hotel occupancy tax ("District Tax") within the confines of the Natchitoches Economic Development District A, State of Louisiana" (the "District") for the purpose of financing economic development projects, as defined in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36 (the "District Tax"). The proceeds of the District Tax will be deposited in a special trust fund to be used for the furtherance of economic development projects all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*).

NOTICE IS HEREBY FURTHER GIVEN that said City Council, acting as the governing authority of both the City and the District, will meet in open and public session on Thursday, May 12, 2011, at four o'clock (4:00) p.m., at 716 Second Street in Natchitoches, Louisiana, to hear any objections to the levy of the District Tax.

The District is an approximately 12.79 acre site in the City of Natchitoches, Louisiana. The boundaries of the District are proposed to be as follows:

**Beginning at a found 3/8 inch iron rod at the Northwest right of way intersection of Washington Street, Front Street and Lafayette Street, thence North 8 degrees 01 minute 48 seconds East along the West right of way of Washington Street a distance of 90 feet; thence North 78 degrees 14 minutes 22 seconds West a distance of 64.64 feet; thence North 9 degrees 21 minutes 26 seconds East a distance of 57.98 feet; thence North 82 degrees 11 minutes 22 seconds West a distance of 169.83 feet; thence South 12 degrees 51 minutes 50 seconds West a distance of 58.18 feet; thence South 12 degrees 8 minutes 8 seconds West a distance of 1.15 feet; thence North 86 degrees 39 minutes 01 second West a distance of 58.63 feet; thence South 9 degrees 3 minutes 16 seconds East a distance of 90.75 feet to the North right of way of Lafayette Street; thence westerly along the northern right of way of Lafayette Street to the Northeast corner of the intersection of Lafayette Street and Second Street; thence northerly along the eastern right of way of Second Street a distance of 183 feet; thence westerly across the right of way of Second Street to a point that is on the western right of way of Second Street and at the Northeast corner of property owned by the City of Natchitoches; thence North 85 degrees 32 minutes 45 seconds West a distance of 182.52 feet; thence North 3 degrees 51 minutes 39 seconds East a distance of 52.46 feet; thence North 86 degrees 28 minutes 5 seconds West a distance of 149.47 feet to the eastern right of way of Third Street; thence West across the right of way of Third Street to the western right of way of Third Street; thence southerly along the western right of way of Third Street to the Southwest corner of the intersection of Third Street and Buard Street; thence westerly along the southern right of way of Buard Street a distance of 150 feet; thence southerly a distance sufficient to intersect that point on the northerly right of way of Lafayette Street that is 157 feet from the Northwest corner of the intersection of Lafayette Street and Third Street; thence easterly along the northern right of way of Lafayette Street a distance of 157 feet to the Northwest corner of the intersection of Lafayette Street and Third Street; thence easterly across the right of way of Third Street to the Northeast**

corner of the intersection of Lafayette Street and Third Street; thence southerly along the eastern right of way of Third Street a distance sufficient to intersect the Southwest corner of the property comprising the Natchitoches Events Center; thence Westerly along the southern boundary of the property comprising the Natchitoches Events Center to a point on the western right of way of Second Street; thence in a southerly direction along the western right of way of Second Street a distance of 50 feet; thence North 84 degrees 39 minutes West a distance of 203.7 feet; thence South 5 degrees 21 minutes West a distance of 51.8 feet; thence South 84 degrees 44 minutes East a distance of 41.5 feet; thence in a southerly direction along the boundary between property of City of Natchitoches and the United States Post Office a distance sufficient to intersect the northern right of way of St. Denis Street; thence in an easterly direction along the northern right of way of St. Denis Street to the Northwest corner of the intersection of St. Denis Street and Second Street; thence easterly across Second Street to the Northeast corner of the intersection of St. Denis Street and Second Street; thence southerly across St. Denis Street to the Southeast corner of the intersection of St. Denis Street and Second Street; thence southerly along the eastern right of way of Second Street a distance of 70.6 feet; thence turn and on an interior angle of 90 degrees 15 minutes run easterly a distance of 90 feet; thence turn and on an interior angle of 90 degrees 39 minutes run southerly a distance of 48.67 feet; thence turn and on an interior angle of 86 degrees 50 minutes run westerly 17.75 feet ; thence turn and on an interior angle of 93 degrees 10 minutes run northerly a distance of 4.08 feet; thence turn and on an interior angle of 88 degrees 28 minutes run westerly a distance of 22 feet; thence turn and on an interior angle of 95 degrees 19 minutes run northerly a distance of 8.5 feet; thence turn and on an interior angle of 93 degrees 59 minutes run westerly a distance of 50 feet to the eastern right of way of Second Street; thence run southerly along the eastern right of way of Second Street to the Northeast corner of the intersection of Second Street and Church Street; thence run easterly along the northern right of way of Church Street to a point that is 102 feet from the Northwest corner of the intersection of Church Street and Front Street; thence North 5 degrees 44 minutes 56 seconds East a distance of 108.05 feet; thence North 83 degrees 59 minutes 20 seconds West a distance of 95.80 feet; thence North 5 degrees 23 minutes 18 seconds East a distance sufficient to intersect the northern right of way of St. Denis Street; thence westerly along the northern right of way of St. Denis Street to a point that is on a line of the eastern right of way of Ducournau Street as extended; thence northerly along the line of the eastern right of way of Ducournau Street as extended to the Northeast corner of the intersection of Horn Street and Ducournau Street; thence continue northerly along the eastern right of way of Durcournau Street to a point that is on the southern boundary of property owned by the City of Natchitoches; thence South 80 degrees 56 minutes 53 seconds East a distance of 104.82 feet; thence South 8 degrees 29 minutes 30 seconds West a distance sufficient to intersect the northern right of way of Lafayette Street; thence easterly along the northern right of way of Lafayette Street to the Northwest corner of the intersection of Washington Street, Front Street and Lafayette Street, being the point of beginning.

\* \* \* \* \*

SECTION 3. Public Hearing. At the date, time and place mentioned in the aforesaid Notice of Intention, this City Council will meet in open and public session, to hear any objections to the proposed levy of the District Tax.

SECTION 4. Authorization of Officers. The Mayor and the Clerk of the City are hereby authorized and empowered to do all acts, sign any and all instruments or documents, and do all things necessary and proper in order to carry out the purposes of this resolution.

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES:**        **McCain, Nielsen, Mims, Morrow, Payne**  
**NAYS:**        **None**  
**ABSENT:**    **None**  
**ABSTAIN:**   **None**

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5  
Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
\_\_\_\_\_  
~~WAYNE~~ McCULLEN, MAYOR

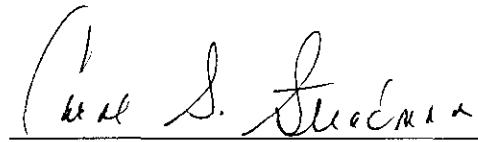
STATE OF LOUISIANA

PARISH OF NATCHITOCHES

I, the undersigned Clerk of the City of Natchitoches, State of Louisiana (the "City") do hereby certify that the foregoing four (4) pages constitute a true and correct copy of the proceedings taken by the City on April 25, 2011, authorizing the publication of a Notice of Intention to levy an additional two percent (2.00%) hotel occupancy tax within the confines of the Natchitoches Economic Development District A, State of Louisiana, under the authority Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.); and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City on this, the 25<sup>th</sup> day of April, 2011.

(SEAL)

  
Clerk

The following Resolution was Introduced by Mr. Nielsen and Seconded by Mr. Payne as follows, to-wit:

**RESOLUTION NO. 030 OF 2011**

**A RESOLUTION AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO LEVY AN ADDITIONAL TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT B FOR THE PURPOSE OF FINANCING ECONOMIC DEVELOPMENT PROJECTS UNDER THE AUTHORITY OF PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (LA. R.S. 33:9038.31 *ET SEQ.*); AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

**WHEREAS**, the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council"), through a previously adopted ordinance, has availed itself of the Act by creating an economic development district called the "Natchitoches Economic Development District B, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32; and

**WHEREAS**, in accordance with the Act, the governing authority of the City, in said ordinance creating the District did further create a special trust fund, named the "Natchitoches #1 Economic Development District Trust Fund" (the "Trust Fund") the purpose of which is to fund economic development projects selected by the District in the manner provided by the Act; and

**WHEREAS**, in accordance with La. R.S. 33:9038.39, and in order to finance and fund certain Projects, the City Counsel, in its capacity as governing authority of the District, desires to levy an additional hotel occupancy tax of two percent (2.00%) *within the confines of the District* and to designate such increase in the hotel occupancy tax as the hotel occupancy tax increment which will be used to reimburse costs of economic development projects as defined in the Act; and

**WHEREAS**, in accordance with the Act, particularly La. R.S. 33:9038.39, the City Council has introduced an ordinance this day levying an additional two percent (2.00%) hotel occupancy tax within the confines of the District and now desires to give notice of its intention and to hold a public hearing relative to the proposed levying of an additional two percent (2.00%) hotel occupancy tax, including a description of the boundaries of the District and containing a map showing the boundaries of the District, which notice shall be published once a week for two weeks in the City's official journal, the first publication to appear at least fourteen days before the public hearing mentioned therein;

**NOW THEREFORE, BE IT RESOLVED** by the by the Mayor and Councilmen of the City of Natchitoches, State of Louisiana, that:

SECTION 1. Intention to Levy a Hotel Occupancy Tax. In accordance with the Act, and particularly La. R.S. 33:9038.39, this governing authority does hereby give notice of its intention to levy an additional two percent (2.00%) hotel occupancy tax within the confines of the Natchitoches Economic Development District B, State of Louisiana.



SECTION 2. Notice of Intention. The City Clerk is authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published once a week for two weeks in the City Council's official journal, the first publication to appear at least fourteen days before the public hearing mentioned therein:

\* \* \* \* \*

**NOTICE OF INTENTION TO LEVY  
A TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE  
CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT  
DISTRICT B, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN that the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.39, levying an additional two percent (2.00%) hotel occupancy tax ("District Tax") within the confines of the Natchitoches Economic Development District B, State of Louisiana" (the "District") for the purpose of financing economic development projects, as defined in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36 (the "District Tax"). The proceeds of the District Tax will be deposited in a special trust fund to be used for the furtherance of economic development projects all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*).

NOTICE IS HEREBY FURTHER GIVEN that said City Council, acting as the governing authority of both the City and the District, will meet in open and public session on Thursday, May 12, 2011, at four o'clock (4:00) p.m., at 716 Second Street, in Natchitoches, Louisiana, to hear any objections to the levy of the District Tax.

The District is an approximately 3,039.98 acre site in the City of Natchitoches, Louisiana. The boundaries of the District are proposed to be as follows:

Beginning at the northwesterly corner of Tract II as shown on a survey of the Mears Plantation (as shown on a survey by A. J. Brouillette recorded in Map Book 1, page 209 of the records of Natchitoches Parish), which said corner is designated as Point "2" on said survey; thence run South 30 degrees 12 minutes East along the easterly line of property owned by Roy O. Martin Lumber Co., L.P., in Section 56, Township 8 North, Range 7 West to the North line of Section 16, Township 8 North, Range 7 West; thence run in a northwesterly direction along the South line of said Section 56, Township 8 North, Range 7 West to a point where the South line of Section 56 intersects the North line of the Southeast Quarter of the Southwest Quarter of Fractional Section 8; thence run West along the North line of the Southeast Quarter of the Southwest Quarter of Said Section 8 to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 8; thence run South down the East line of the Said Southwest Quarter of the Southwest Quarter of said Section 8 to the North line of Section 17, Township 8 North, Range 7 West; thence run West along the North line of Section 17 and Section 18, Township 8 North, Range 7 West to the Northwest corner of the Northeast Quarter of said Section 18; thence run South along the West line of the Northeast Quarter of Section 18 to the center of said Section 18; thence run East along the South line of the Northeast Quarter of said Section 18 to the West line of Section 17, Township 8 North, Range 7 West, thence run South along the West lines of Sections 17, 20 and 29, Township 8 North, Range 7 West to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 29; thence run East along the South line of the Northwest Quarter of the Northwest Quarter of Section 29 to the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 29; thence run South along the West line of the Southeast Quarter of Northwest Quarter of Section 29 to the Southwest corner of the Southeast Quarter of Northwest Quarter of Section 29; from this point run East along the South line of the North One-Half of Section 29, Township 8 North, Range 7 West to the East line of said Section 29; thence run North along the East line of said Section 29 and Section 20, Township 8 North, Range 7 West, to the Northeast corner of Southeast Quarter

of Southeast Quarter of said Section 20; thence run East along the South line of the North One-Half of the Southwest Quarter of Section 21, Township 8 North, Range 7 West to the Southeast corner of the Northeast Quarter of the Southwest Quarter of Said Section 21; thence run North along the centerline of said Section 21 to the South line of Section 16, Township 8 North, Range 7 West; thence run East along the South line of said Section 16 to the Southeast corner of said Section 16; thence run North along the East line of Section 16 and Section 9 to a point where this line intersects the easterly line of Section 56, Township 8 North, Range 7 West, thence northeasterly along the easterly line of Section 56 to a point where this line intersects the right descending bank of Old River; thence in westerly direction along the meanderings of the right descending bank of Old River to the northwesterly corner of Tract II as shown on a survey of the Mears Plantation and the point of beginning.

\* \* \* \* \*

SECTION 3. Public Hearing. At the date, time and place mentioned in the aforesaid Notice of Intention, this City Council will meet in open and public session, to hear any objections to the proposed levy of the District Tax.

SECTION 4. Authorization of Officers. The Mayor and the Clerk of the City are hereby authorized and empowered to do all acts, sign any and all instruments or documents, and do all things necessary and proper in order to carry out the purposes of this resolution.

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES:**

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** None

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

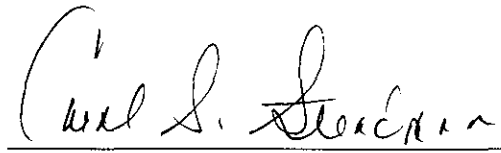
STATE OF LOUISIANA

PARISH OF NATCHITOCHES

I, the undersigned Clerk of the City of Natchitoches, State of Louisiana (the "City") do hereby certify that the foregoing three (3) pages constitute a true and correct copy of the proceedings taken by the City on April 25, 2011, authorizing the publication of a Notice of Intention to levy an additional two percent (2.00%) hotel occupancy tax within the confines of the Natchitoches Economic Development District B, State of Louisiana, under the authority Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.); and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City on this, the 25<sup>th</sup> day of April, 2011.

(SEAL)

  
Clerk

The following Resolution was Introduced by Mr. Mims and Seconded by Mr. Nielsen as follows, to-wit:

**RESOLUTION NO. 031 OF 2011**

**A RESOLUTION AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO LEVY AN ADDITIONAL TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT DISTRICT C FOR THE PURPOSE OF FINANCING ECONOMIC DEVELOPMENT PROJECTS UNDER THE AUTHORITY OF PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED (LA. R.S. 33:9038.31 *ET SEQ.*); AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the Act and other law; and

**WHEREAS**, the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council"), through a previously adopted ordinance, has availed itself of the Act by creating an economic development district called the "Natchitoches Economic Development District C, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32; and

**WHEREAS**, in accordance with the Act, the governing authority of the City, in said ordinance creating the District did further create a special trust fund, named the "Natchitoches #1 Economic Development District Trust Fund" (the "Trust Fund") the purpose of which is to fund economic development projects selected by the District in the manner provided by the Act; and

**WHEREAS**, in accordance with La. R.S. 33:9038.39, and in order to finance and fund certain Projects, the City Counsel, in its capacity as governing authority of the District, desires to levy an additional hotel occupancy tax of two percent (2.00%) within the confines of the District and to designate such increase in the hotel occupancy tax as the hotel occupancy tax increment which will be used to reimburse costs of economic development projects as defined in the Act; and

**WHEREAS**, in accordance with the Act, particularly La. R.S. 33:9038.39, the City Council has introduced an ordinance this day levying an additional two percent (2.00%) hotel occupancy tax within the confines of the District and now desires to give notice of its intention and to hold a public hearing relative to the proposed levying of an additional two percent (2.00%) hotel occupancy tax, including a description of the boundaries of the District and containing a map showing the boundaries of the District, which notice shall be published once a week for two weeks in the City's official journal, the first publication to appear at least fourteen days before the public hearing mentioned therein;

**NOW THEREFORE, BE IT RESOLVED** by the by the Mayor and Councilmen of the City of Natchitoches, State of Louisiana, that:

**SECTION 1. Intention to Levy a Hotel Occupancy Tax.** In accordance with the Act, and particularly La. R.S. 33:9038.39, this governing authority does hereby give notice of its intention to levy an additional two percent (2.00%) hotel occupancy tax within the confines of the Natchitoches Economic Development District C, State of Louisiana.

SECTION 2. Notice of Intention. The City Clerk is authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published once a week for two weeks in the City Council's official journal, the first publication to appear at least fourteen days before the public hearing mentioned therein:

\* \* \* \* \*

**NOTICE OF INTENTION TO LEVY  
A TWO PERCENT (2.00%) HOTEL OCCUPANCY TAX WITHIN THE  
CONFINES OF THE NATCHITOCHES ECONOMIC DEVELOPMENT  
DISTRICT C, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN that the City of Natchitoches, acting through its governing body, the City Council (hereinafter referred to as "City Council") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.39, levying an additional two percent (2.00%) hotel occupancy tax ("District Tax") within the confines of the Natchitoches Economic Development District C, State of Louisiana" (the "District") for the purpose of financing economic development projects, as defined in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36 (the "District Tax"). The proceeds of the District Tax will be deposited in a special trust fund to be used for the furtherance of economic development projects all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*).

NOTICE IS HEREBY FURTHER GIVEN that said City Council, acting as the governing authority of both the City and the District, will meet in open and public session on Thursday, May 12, 2011, at four o'clock (4:00) p.m., at 716 Second Street, in Natchitoches, Louisiana, to hear any objections to the levy of the District Tax.

The District is an approximately 441.26 acre site in the City of Natchitoches, Louisiana. The boundaries of the District are proposed to be as follows:

**From a concrete monument marking the existing city limits along the Westerly edge of Louisiana Highway 3110 (By-pass) and being designated as monument No. 250A; thence South 10 degrees 25 minutes 36 seconds East a distance of 13.30 feet; thence South 89 degrees 33 minutes 30 seconds West a distance of 299.75 feet; thence South 02 degrees 31 minutes 54 seconds West a distance of 5.12 feet; thence South 89 degrees 09 minutes 16 seconds West a distance of 351.53 feet; thence South 89 degrees 21 minutes 28 seconds West a distance of 1299.58 feet to a point of compound curvature; thence along a curve to the right having a radius of 2378.75 feet, a delta angle of 11 degrees 32 minutes 56 seconds, an arc length of 479.48 feet to a point of reverse curvature; thence along a curve to the left having a radius of 1018.56 feet, a delta angle of 25 degrees 31 minutes 35 seconds an arc length of 453.79 feet to the Point of Tangency; thence South 75 degrees 22 minutes 49 seconds West a distance of 764.28 feet to a point of curvature; thence along a curve to the right having a radius of 2080.68 feet, a delta angle of 11 degrees 08 minutes 27 seconds, an arc length of 404.57 feet to the Point of Tangency; thence South 86 degrees 31 minutes 15 seconds West a distance of 803.65 feet to a point of curvature; thence along a curve to the left having a radius of 2259.64; a delta angle of 09 degrees 59 minutes 03 seconds an arc length of 393.76 to the Point of Tangency; thence South 76 degrees 32 minutes 12 seconds West a distance of 2227.54 feet to a point on the Westerly Right-of-Way of the Lime Kiln Road being the point of beginning; thence North 25 degrees 46 minutes 57 seconds West along said Westerly Right-of-Way a distance of 567.96 feet; thence South 76 degrees 14 minutes 50 seconds West parallel with the centerline of New Highway 6, a distance of 1974.43 feet; thence South 76 degrees 19 minutes 00 seconds West a distance of 353.14 feet; thence North 0 degrees 18 minutes 05 seconds West a distance of 205.58 feet; thence South 76 degrees 19 minutes 01 seconds West a distance of 962.00 feet; thence South 67 degrees 47 minutes 10 seconds West a distance of 54.42 feet; thence South 67 degrees 46 minutes 43 seconds West a distance of 6.08 feet; thence South 0 degrees 27 minutes 05 seconds East a**

distance sufficient to intersect the South property line of Sibley Lake Realty Corp., which said point is on a western extension of the North line of Section 36; thence North 89 degrees 57 minutes 10 seconds West along a line being a western extension of Section 36 a distance sufficient to intersect the existing corporate limits of the City of Natchitoches; thence North 89 degrees 57 minutes 10 seconds West a distance of 346.67 feet to a point on the Easterly Right-of-Way line of Interstate 49; thence along said right-of-way; thence South 30 degrees 42 minutes 39 seconds East a distance of 1293.84 feet; thence South 37 degrees 55 minutes 01 second East a distance of 140.36 feet; thence South 30 degrees 49 minutes 12 seconds East a distance of 1257.52 feet; thence South 30 degrees 41 minutes 44 seconds East a distance of 202.63 feet; thence North 87 degrees 31 minutes 46 seconds West a distance of 420.22 feet to a point on the Westerly Right-of-Way line of I-49; thence along said Right-of-Way North 30 degrees 36 minutes 29 seconds West a distance of 669.69 feet; thence North 19 degrees 29 minutes 56 seconds West a distance of 102.38 feet; thence North 30 degrees 44 minutes 42 seconds West a distance of 1858.83 feet; thence North 36 degrees 25 minutes 17 seconds West a distance of 234.93 feet; thence North 89 degrees 57 minutes 10 seconds West a distance of 618.35 feet; thence North 0 degrees 07 minutes 01 second West a distance of 864.34 feet; thence North 30 degrees 40 minutes 59 seconds West a distance of 944.28 feet; thence North 39 degrees 12 minutes 50 seconds West a distance of 606.71 feet; thence North 47 degrees 22 minutes 56 seconds West a distance of 365.41 feet; thence South 70 degrees 39 minutes 03 seconds West a distance of 32.47 feet; thence South 33 degrees 28 minutes 50 seconds East a distance of 207.08 feet; thence South 56 degrees 17 minutes 27 seconds West a distance of 658.09 feet; thence North 33 degrees 47 minutes 58 seconds West a distance of 367.83 feet to the South right of way of Highway 6; thence South 67 degrees 19 minutes 55 seconds West a distance of 126.42 feet; thence South 71 degrees 23 minutes 44 seconds West a distance of 304.61 feet; thence South 57 degrees 10 minutes 03 seconds West a distance of 76.79 feet; thence South 56 degrees 08 minutes 43 seconds West a distance of 328.46 feet; thence North 33 degrees 40 minutes 55 seconds West a distance of 42.87 feet; thence South 54 degrees 42 minutes 55 seconds West a distance of 59.43 feet; thence South 33 degrees 00 minutes East a distance of 469.26 feet; thence South 57 degrees 00 minutes West a distance of 330 feet; thence North 33 degrees 00 minutes West a distance of 453.3 feet to the southern right of way of Highway 6; thence South 54 degrees 41 minutes 55 seconds West a distance of 289.59 feet; thence South 54 degrees 41 minutes 55 seconds West a distance of 289.59 feet; thence cross Louisiana Highway No. 6 running North 35 degrees 18 minutes 05 seconds West a distance of 130.0 feet to a point on the Northerly Right-of-Way of Highway 6; thence North 48 degrees 59 minutes 17 seconds East a distance of 100.5 feet; thence North 54 degrees 41 minutes 55 seconds East a distance of 293.49 feet; thence North 35 degrees 4 minutes West a distance of 270 feet; thence South 65 degrees 0 minutes West a distance of 96.8 feet; thence North 3 degrees 10 minutes West a distance of 175.4 feet; thence North 18 degrees 16 minutes West a distance of 75.2 feet; thence North 54 degrees 56 minutes East a distance of 319.1 feet; thence North 35 degrees 4 minutes West a distance of 356.9 feet; thence North 89 degrees 54 minutes East a distance of 595.7 feet; thence North 89 degrees 54 minutes East a distance of 108 feet; thence North 89 degrees 54 minutes East a distance of 128.4 feet; thence North 89 degrees 54 minutes East a distance of 13.6 feet; thence South 43 degrees 13 minutes East a distance of 47.7 feet; thence North 46 degrees 47 minutes East a distance of 300 feet; thence North 46 degrees 47 minutes East a distance of 411.18 feet; thence North 13 degrees 2 minutes 10 seconds West a distance of 196.71 feet; thence North 76 degrees 57 minutes 50 seconds East a distance of 200 feet; thence North 9 degrees 13 minutes 36 seconds West a distance of 245.52; thence North 21 degrees 22 minutes 49 seconds West a distance of 303.83 feet; thence North 30 degrees 39 minutes 48 seconds West a distance of 599.94 feet; thence North 33 degrees 30 minutes 35 seconds West a distance of 200.06 feet; thence North 30 degrees 27 minutes 14 seconds West a distance of 751.51 feet; thence North 0 degrees 06 minutes 45 seconds East a distance of 116.66 feet; thence South 89 degrees 52 minutes East a distance sufficient to intersect Point 11 as shown on a plat of survey by R.E.L. Breedlove, recorded at original instrument number 190626 of the records of Natchitoches Parish, Louisiana, being a point on the eastern right of way of I-49; thence South 89 degrees 52 minutes East a distance of 1398 feet to the western right of way of Highway 504; thence South 5 degrees 56 minutes

East a distance of 72.4 feet; thence South 0 degrees 1 minute East a distance of 275 feet; thence South 4 degrees 37 minutes West a distance of 117 feet; thence South 7 degrees 9 minutes West a distance of 200 feet; thence South 15 degrees 5 minutes West a distance of 113 feet; thence North 70 degrees 32 minutes West a distance of 191.2 feet; thence south 19 degrees 26 minutes West a distance of 274 feet; thence South 79 degrees 25 minutes East a distance of 205.3 feet; thence along the westerly side of Highway 504 a distance sufficient to intersect old Louisiana Highway 6; thence in an easterly direction, along the existing city limits of the City of Natchitoches to that point located on the southerly right of way of old Highway 6 and the eastern right of way of the spur road that connects highway 504 and old Highway 6 to new Highway 6; thence South 47 degrees 22 minutes 21 seconds East a distance of 178.24 feet to a point on the Northerly Right-of-Way of the New Louisiana Highway No. 6; thence North 73 degrees 25 minutes 24 seconds East a distance of 200.00 feet; thence North 45 degrees 19 minutes 39 seconds West a distance of 172.58 feet to a point on a curve to the right having a radius of 11,809.16 and an arc length of 670.53 feet; thence North 76 degrees 19 minutes 00 seconds East a distance of 768.67 feet; thence South 0 degrees 27 minutes 05 seconds East a distance of 138.69 feet to a point on the Northerly Right-of-Way of the New Highway No. 6; thence North 76 degrees 19 minutes 01 second East a distance of 171.91 feet; thence North 80 degrees 36 minutes 21 East a distance of 401.12 feet; thence North 76 degrees 19 minutes 01 seconds East a distance of 300.00 feet; thence North 72 degrees 01 minute 40 seconds East a distance of 144.68 feet; thence North 0 degrees 18 minutes 05 seconds West a distance of 158.49 feet; thence North 76 degrees 19 minutes 00 seconds East a distance of 186.18 feet; thence North 76 degrees 14 minutes 50 seconds East a distance of 1,834.16 feet to a point on the Westerly edge of the Lime Kiln Road; thence North 14 degrees 41 minutes 32 seconds West a distance of 192.83 feet; thence North 78 degrees 18 minutes 28 seconds East a distance of 160.22 feet; thence South 15 degrees 41 minutes 46 seconds East along the Easterly Right-of-Way of the Lime Kiln Road a distance of 187.16 feet; thence North 76 degrees 14 minutes 50 seconds East a distance of 623.86 feet to a point of curvature; thence along a curve to the left having a radius of 2924.05 feet, a delta angle of 54 degrees 06 minutes 37 seconds; an arc length of 735.43 feet; thence South 89 degrees 49 minutes 36 seconds East a distance of 1616.49 feet; thence South a distance sufficient to intersect a point on the southerly right of way of an easement and being located on the existing city limits of the City of Natchitoches; thence westerly along the existing city limits and easement to the point of beginning on the westerly right of way of Lime Kiln Road.

\* \* \* \* \*

SECTION 3. Public Hearing. At the date, time and place mentioned in the aforesaid Notice of Intention, this City Council will meet in open and public session, to hear any objections to the proposed levy of the District Tax.

SECTION 4. Authorization of Officers. The Mayor and the Clerk of the City are hereby authorized and empowered to do all acts, sign any and all instruments or documents, and do all things necessary and proper in order to carry out the purposes of this resolution.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:  
NAYS:       None  
ABSENT:    None  
ABSTAIN:   None

THEREUPON, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
WAYNE McCULLEN, MAYOR

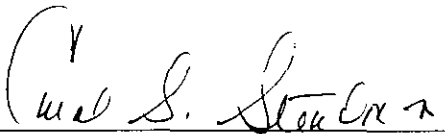
STATE OF LOUISIANA

PARISH OF NATCHITOCHES

I, the undersigned Clerk of the City of Natchitoches, State of Louisiana (the "City") do hereby certify that the foregoing five (5) pages constitute a true and correct copy of the proceedings taken by the City on April 25, 2011, authorizing the publication of a Notice of Intention to levy an additional two percent (2.00%) hotel occupancy tax within the confines of the Natchitoches Economic Development District C, State of Louisiana, under the authority Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.); and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City on this, the 25th day of April, 2011.

(SEAL)

  
Clerk



The following Resolution was Introduced by Mr. Payne and Seconded by Mr. Mims as follows, to-wit:

**RESOLUTION NO. 032 OF 2011**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, WAYNE MCCULLEN, TO NEGOTIATE DETAILS OF A INCENTIVE PACKAGE FOR THE HOTEL DEVELOPER AND A MANAGEMENT AGREEMENT FOR THE MANAGEMENT OF THE NATCHITOCHES EVENTS CENTER**

**WHEREAS FURTHER**, the City of Natchitoches is the owner of certain property located to the South of Lafayette Street and East of Second Street, which said property is more fully described as follows, to-wit:

That certain tract of ground shown, together with all buildings and improvements situated thereon, located in the City and Parish of Natchitoches, Louisiana, being more fully shown and depicted as Tract "A-1A" on a plat of survey by Robert L. Davis, dated February 9, 2010, a copy of which is attached hereto

; and

**WHEREAS FURTHER**, the City of Natchitoches determined that the above described property is not needed for any public purpose, and based upon the recommendations of Colliers PKF Consulting USA, authorized and directed the Mayor of the City of Natchitoches, Wayne McCullen, to request proposals for the development of the property described above; and

**WHEREAS FURTHER**, proposals were received by the City of Natchitoches and the proposal submitted by Hospitality Consultants, LLC (sometimes hereinafter "Hospitality") was selected; and

**WHEREAS FURTHER**, the City has been working with Hospitality to provide an adequate site for the proposed Hotel and to put together an incentive package to insure that the Hotel is economically viable; and

**WHEREAS FURTHER**, part of the proposal submitted by Hospitality called for a Management and Operations Agreement between the City and Hospitality for the management and operation of the Natchitoches Events Center; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches, Louisiana desires to authorize the Mayor, Wayne McCullen, to negotiate the terms of the incentive package and Management and Operations Agreement for the Natchitoches Events Center, which said terms will be subject to final approval of the City Council; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Natchitoches that the Mayor of the City of Natchitoches, Wayne McCullen, is hereby authorized to negotiate the terms of the incentive package and Management and Operations Agreement for the Natchitoches Events Center.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the City Council of the City of Natchitoches, that the Mayor, Wayne McCullen, present the terms of the incentive package and Management and Operations Agreement to the City Council of the City of Natchitoches for final approval.

This resolution was introduced on the 25<sup>th</sup> day of April, 2011.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>Payne, Mims, McCain, Morrow, Nielsen</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
\_\_\_\_\_  
WAYNE McCULLEN, MAYOR

The following Resolution was Introduced by Mr. Mims and Seconded by Ms. Morrow as follows, to-wit:

**RESOLUTION NO. 033 OF 2011**

**A RESOLUTION APPOINTING JOSEPH "JOE" PAYNE CUNNINGHAM, SR. AS A REPRESENTATIVE TO THE NATCHITOCHES FIRE AND POLICE CIVIL SERVICE BOARD**

**WHEREAS**, Mayor Wayne McCullen wishes to appoint Joseph "Joe" Payne Cunningham, Sr. as a City of Natchitoches representative to the Natchitoches Fire and Police Civil Service Board; and

**WHEREAS**, this appointment is for a three-year term beginning May 8, 2011 and expiring May 8, 2014; and

**WHEREAS**, The Natchitoches City Council desires to show its approval for this appointment by the Mayor.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Natchitoches does, in legal session convened, does hereby appoint Joseph "Joe" Payne Cunningham, Sr. as a representative of the City of Natchitoches to the Natchitoches Municipal Fire and Police Civil Service Board.

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES:** Mims, Morrow, Payne, Nielsen, McCain  
**NAYS:** None  
**ABSENT:** None  
**ABSTAIN:** None

**THEREUPON**, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays this the 25<sup>th</sup> day of April, 2011.

  
\_\_\_\_\_  
**WAYNE McCULLEN, MAYOR**

Mr. Mims made a motion to adjourn the meeting and Mr. Payne seconded the motion, and the meeting was adjourned at 8:00 p.m.

  
WAYNE MCCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE